



The Calcutta Gazette

WEDNESDAY, JULY 30, 1919.

PART III.

Acts of the Bengal Legislative Council.

GOVERNMENT OF BENGAL.

LEGISLATIVE DEPARTMENT.

NOTIFICATION.

No. 1102X., dated Calcutta, the 28th July, 1919.—The following Act, passed by the Legislative Council of the Governor of Bengal, received the assent of His Excellency the Governor on the 6th July, 1919, and, having been assented to by His Excellency the Viceroy and Governor General on the 21st July, 1919, is hereby published for general information :—

BENGAL ACT No. VI OF 1919.

THE BENGAL FOOD ADULTERATION ACT, 1919.

CONTENTS

SECTION.

CHAPTER I.

PRELIMINARY.

1. Short title and local extent.
2. Definitions.
3. Power of Local Government or local authority to appoint public analyst.
4. Power of Local Government to declare normal constituents of any article of food.

SECTION.

CHAPTER II.

GENERAL PROVISIONS.

Sale of food.

5. Prohibition of sale, etc., of food not of the proper nature, substance or quality.
6. Prohibition of sale, etc., of articles of food which are not of the prescribed standard of purity.
7. Prohibition of adulterants in places where ghee, wheat flour, etc., are manufactured.
8. Receptacles for separated or skimmed condensed milk to be marked.

Analysis of food.

9. Power of purchaser to have article of food analysed.
10. Compulsory sale of food, etc., for purpose of analysis.
11. Procedure for analysis of food.

Inspection and seizure of food.

12. Power to seize food which is believed to be adulterated.
13. Food, etc., seized under section 12 to be taken before Magistrate.

Miscellaneous.

14. Duty of public analyst to supply certificate of analysis.
15. Cognizance of offences.
16. Jurisdiction.
17. Limitation for prosecutions.
18. Fines, etc., how to be credited.
19. Certain persons to be deemed public servants.
20. Power of Local Government to make rules.

CHAPTER III.

PENALTIES.

21. Penalties.

THE SCHEDULE.—FORM OF CERTIFICATE.

BENGAL ACT No. VI OF 1919.

**THE BENGAL FOOD ADULTERATION
ACT, 1919.**

*An Act to make provision for the prevention of
adulteration of food in Bengal.*

WHEREAS it is expedient to make provision for the
prevention of adulteration of food in Bengal ;

It is hereby enacted as follows :—

CHAPTER I.**PRELIMINARY.**

Short title and
local extent.

1. (1) This Act may be called the Bengal Food
Adulteration Act, 1919.

(2) This section shall extend to the whole of
Bengal, except Calcutta as defined in clause (7) of
section 3 of the Calcutta Municipal Act, 1899 ; and the
Local Government may, after previous publication, by
notification in the *Calcutta Gazette*, extend all or
any of the other sections of this Act to any local area
outside Calcutta in Bengal.

Ben. Act
III of 1899.

(3) The Local Government in extending all or any
of the sections of this Act, as provided in sub-section
(2), may extend the same in respect of all articles of
food or may limit the operation of the section or
sections extended to any specified article of food.

Definitions.

2. In this Act, unless there is anything repugnant
in the subject or context,—

(1) an article of food shall be deemed to be
“adulterated” if it has been mixed or
packed with any other substance, or if any
part of it has been abstracted so as in either
case to affect injuriously its quality, sub-
stance or nature ;

“food” includes every article used for food or
drink by man, other than drugs or water,
and any article which ordinarily enters into
or is used in the composition or preparation
of human food ; and also includes flavour-
ing matters and condiments ;

(3) “local area” means any area, urban or rural,
declared by the Local Government by noti-
fication in the *Calcutta Gazette* to be a
local area for the purposes of this Act ;

(4) “local authority” means—

(i) in the case of any Municipality, the
Municipal Commissioners ;

(ii) in the case of a Cantonment, the Can-
tonment Authority ; and

(iii) in the case of any other local area, such
authority or officer as the Local
Government may appoint in this
behalf ;

(Chapter I.—Preliminary.—Chapter II.—General Provisions.—Sections 3—5.)

(5) "public analyst" means any person appointed by the Local Government, or by a local authority with the approval of the Local Government, to perform the duties and to exercise the powers of a public analyst prescribed by this Act. •

Power of Local Government or local authority to appoint public analyst.

3. The Local Government, or a local authority with the approval of the Local Government, may appoint a person to be the public analyst for any area under their control, and such appointment shall be notified in the *Calcutta Gazette*.

Power of Local Government to declare normal constituents of any article of food.

4. The Local Government may declare the normal constituents of any article of food and may determine, by rules in this behalf, what deficiency in any of these constituents, or what addition of extraneous matter or proportion of water in a sample of any article of food, shall, for the purposes of this Act, raise a presumption until the contrary is proved that the article of food is not genuine or is injurious to health; and a public analyst shall have regard to such rules in certifying the result of an analysis under this Act.

CHAPTER II.

GENERAL PROVISIONS.

Sale of food.

Prohibition of sale, etc., of food not of the proper nature, substance or quality.

5. (1) No person shall, directly or indirectly, himself or by any other person on his behalf, sell to the prejudice of the purchaser any article of food which is not of the nature, substance or quality of the article demanded by such purchaser; and no person shall, directly or indirectly, himself or by any other person on his behalf, manufacture for sale any article of food which is not of the nature, substance or quality which it purports or is represented to be.

Provided that an offence shall not be deemed to be committed under this section in the following cases, that is to say:—

- (a) where any matter or ingredient not injurious to health has been added to any article of food because the same is required for the production or preparation thereof as an article of commerce, in a state fit for carriage or consumption, and not fraudulently to increase the bulk, weight or measure of the article or to conceal the inferior quality thereof; or
- (b) where any article of food is unavoidably mixed with some extraneous matter in the process of collection or preparation; or
- (c) where a patent has been granted under any law for the time being in force in respect of any article of food, and the article is sold in the state required by the specification of the patent.

(Chapter II.—General Provisions.—Section 6.)

(2) In any prosecution under this section it shall be no defence to allege that the vendor or manufacturer was ignorant of the nature, substance or quality of the article sold, exposed for sale or manufactured for sale, by him.

(3) In any prosecution under this section the Court shall, unless and until the contrary is proved, presume that any article of food found in the possession of a person who is in the habit of manufacturing like articles for sale has been manufactured for sale by such person.

Prohibition of sale, etc., of articles of food which are not of the prescribed standard of purity.

6. (1) No person shall, directly or indirectly, himself or by any other person on his behalf, sell, expose for sale, or manufacture or store for sale, any of the following articles, namely:—

- (a) milk (other than condensed, sterilized or desiccated milk in hermetically closed receptacles),
- (b) butter,
- (c) ghee,
- (d) wheat flour,
- (e) mustard oil, and
- (f) any other article of food which may be notified by the Local Government in this behalf,

unless the following conditions are fulfilled, namely:—

- (i) in the case of milk (other than condensed, sterilized or desiccated milk in hermetically closed receptacles), the animal from which the milk is derived shall be definitely stated in such manner as the local authority may, by general or special order, require, and the article sold, exposed for sale or stored for sale, as the case may be, shall be the natural secretion from the udder of such animal, from which no ingredient has been extracted and to which no water or other substance (including any preservative) has been added, and shall not contain a less proportion of non-fatty solids and of fat than such as the Local Government may prescribe;
- (ii) in the case of butter, it shall be exclusively derived from milk or cream (other than condensed, sterilized or desiccated milk, or cream), or both, with or without salt or other preservative, and with or without the addition of colouring matter, such preservative or colouring matter being of such a nature and in such quantity as not to render the article injurious to health, and shall not contain a greater proportion of water than may be prescribed by the Local Government in this behalf;
- (iii) in the case of ghee, it shall contain only substances, other than curds, which are derived exclusively from the milk of cows or of buffaloes, and shall fulfil such conditions as may be prescribed by the Local Government;

(Chapter II.—General Provisions.—Sections, 7—9.)

(iv) in the case of wheat flour, it shall not contain any substance which is not derived exclusively from wheat;

(v) in the case of mustard oil, it shall be derived exclusively from mustard seed; and

(vi) in the case of any food notified by the Local Government under clause (f), it shall fulfil such conditions as may be prescribed by the Local Government in regard to such food.

(2) No person shall, directly or indirectly, himself or by any other person on his behalf, sell, expose for sale, or manufacture or store for sale anything which is similar to any of the articles specified in clauses (a), (b), (c), (d) and (e) of sub-section (1) or to any article notified by the Local Government under clause (f) of that sub-section, under a name which in any way resembles the name of such article.

(3) In any prosecution under this section it shall be no defence to allege that the vendor, manufacturer or storer was ignorant of the nature, substance or quality of the article sold, exposed for sale, or manufactured or stored for sale, by him.

(4) In any prosecution under this section the Court shall, unless and until the contrary is proved, presume that any of the articles specified in clauses (a), (b), (c), (d) and (e) of sub-section (1) or any article notified by the Local Government under clause (f) of that sub-section found in the possession of a person who is in the habit of manufacturing or storing like articles for sale, has been manufactured or stored for sale by such person.

Prohibition of adulterants in places where ghee, wheat flour, etc., are manufactured

7. (1) No person shall keep or permit to be kept in any manufactory, shop or place, in which butter, ghee, wheat flour, mustard oil or any article notified by the Local Government under clause (f) of sub-section (1) of section 6 is manufactured, any substance intended to be used for the adulteration of such butter, ghee, wheat flour, mustard oil or other article.

(2) If any article capable of being so used is found in such manufactory, shop or place, the Court shall, unless and until the contrary is proved, presume in any prosecution under this section that it is intended to be used for the purposes of adulteration.

Receptacles for separated or skimmed condensed milk to be marked.

8. No person shall sell or expose for sale any tin or other receptacle containing condensed milk which has been separated or skimmed, unless such tin or receptacle bears a label on which and on its wrapper (if any) it is clearly indicated, both in English and in Bengali, that the milk has been skimmed and is not suitable for feeding infants under one year of age.

Analysis of food.

Power of purchaser to have article of food analysed.

9. Any purchaser of an article of food shall be entitled, on payment of such fee as the Local Government may prescribe, to have such article analysed by the public analyst appointed for the area within which such article is purchased and to receive from him a certificate, in the form prescribed in the Schedule to this Act, of the result of his analysis.

(Chapter II.—General Provisions.—Sections 10, 11.)

Compulsory sale of
food, etc., for pur-
pose of analysis.

10. (1) Any person duly authorised by the Local Government or by any local authority empowered by the Local Government in this behalf, may require, on tendering the price for it, the sale to him during the process of manufacture, for the purpose of analysis, of such quantity^d of—

(i) any food, or

(ii) any ingredients used in the manufacture of food,

as is reasonably requisite for division and disposal under section 11; and any person in possession of the said food or ingredients shall be bound to sell such quantity.

(2) Any person duly authorised by the Local Government or by any local authority empowered by the Local Government in this behalf, may also require the surrender to himself, for the purpose of analysis, of such quantity as is reasonably requisite for division and disposal under section 11, of any food which for the purpose of sale is—

(a) in course of transit in any local area, or

(b) stored in any place in the said local area;

and any person in possession of the said food shall be bound to surrender such quantity:

Provided that in every such case the price of the food so surrendered shall be payable from such fund as the Local Government may prescribe to the owner of the food, if claimed by such owner within one month from the date of the said surrender.

(3) Any person duly authorised by the Local Government or by any local authority empowered by the Local Government in this behalf, may also require, on tender of the price, the sale to him, for the purpose of analysis, of such quantity of any food exposed or intended for sale, as is reasonably requisite for division or disposal under section 11; and any person in possession of or exposing the same for sale shall be bound to sell such quantity.

Procedure
analysis of food.

11. (1) Any purchaser who wishes to have an article of food analysed under section 9, and any person who purchases, for the purpose of analysis, a sample of food under section 10, sub-section (1) or sub-section (3), shall, after the purchase has been completed, forthwith notify to the seller, or his agent selling the article, his intention to have the same analysed, and shall divide the article into three parts, to be then and there separated, and each part to be marked and sealed or fastened up in any manner which its nature will permit.

(2) The person purchasing the article or sample shall deliver one of the said parts to the seller or his agent, and shall retain another part for future comparison, and shall send the remaining part to the public analyst appointed for the area where the article is sold.

(Chapter II.—General Provisions.—Sections 12, 13.)

(3) When any food is surrendered under section 10, sub-section (2), the person to whom it is surrendered shall forthwith notify to the person in charge of the said food his intention to have the same analysed, and shall thereupon deal with the food so surrendered in the manner provided in sub-sections (1) and (2).

Inspection and seizure of food.

Power to seize food which is believed to be adulterated.

12. (1) Any person duly authorised in this behalf by rule made under this Act may, at any time by day or by night, inspect and examine any food which is being manufactured for sale, or is in course of transit or stored for sale, or is hawked about or exposed for sale, and any utensil or vessel used for preparing, manufacturing or containing any such food; and no person shall offer resistance to, or obstruct, any such inspection or examination.

(2) If the person so authorised has reason to believe any such food to be adulterated, he may seize and remove such food, utensil or vessel in order that the same may be dealt with in accordance with the provisions of section 13; and no person shall offer resistance to, or obstruct, any such seizure or removal.

(3) The person authorised as aforesaid may, instead of carrying away any food, utensil or vessel seized under sub-section (2), leave the same in such safe custody as he thinks fit in order that the same may be dealt with as provided in section 13; and no person shall remove such food, utensil or vessel from such custody or interfere or tamper with the same in any way while so detained.

(4) When any food is seized under sub-section (2), the person seizing it shall separate therefrom such quantity as is reasonably requisite for division and disposal for the purposes of this sub-section, and shall thereupon divide and dispose of such quantity in the manner provided in section 11, sub-sections (1) and (2).

Food, etc., seized under section 12 to be taken before Magistrate.

13. (1) Any food, utensil or vessel seized under section 12, sub-section (2), shall, subject to the provisions of sub-sections (3) and (4) of that section, be taken as soon as may be after such seizure, before a Magistrate.

(2) If it appears to the Magistrate that any such food is adulterated, or that any such utensil or vessel is used for preparing, manufacturing or containing the same, he shall cause the food, utensil or vessel to be forfeited to the local authority for the area in which the seizure has taken place, in order that it may be destroyed or otherwise disposed of by that authority, at the cost of the person in whose possession it was at the time of its seizure, and such cost shall be realized as if it were a fine imposed under this Act.

(3) If it appears to the Magistrate that any such food is not adulterated, or that any such utensil or vessel is not used for preparing, manufacturing or containing the same, the person from whose shop or place the food, utensil or vessel was taken shall be entitled to have it restored to him, and it shall be

(Chapter II.—General Provisions.—Sections 14—18.)

in the discretion of the Magistrate to award to such person from such fund as the Local Government may prescribe in this behalf, such compensation, not exceeding the actual loss which he has sustained, as the Magistrate may think proper.

Miscellaneous.

Duty of public analyst to supply certificate of analysis.

14. (1) Every public analyst to whom any article of food has been submitted for analysis under this Act, shall deliver to the person so submitting it a certificate in the form prescribed in the Schedule to this Act, specifying the result of his analysis, and shall send a copy of the same to the local authority concerned.

(2) Any document purporting to be such certificate signed by a public analyst shall be sufficient evidence in any inquiry, trial or proceeding under this Act of the result of such analysis:

Provided that any Court before which a case may be pending under this Act, whether exercising original, appellate or revisional jurisdiction, may, of its own motion, or at the request either of the accused or the complainant, cause any article of food to be sent for analysis to the Sanitary Commissioner for Bengal, or any other officer whom the Local Government may appoint in this behalf, who shall thereupon analyse the same and report the result of such analysis to the said Court, and the said report shall be admissible in evidence in such Court. The expense of such analysis shall be paid by the accused or the complainant as the Court may, by order, direct.

Cognizance of offences.

15. No prosecution for any offence under this Act shall be instituted without the order or consent in writing of the local authority within whose jurisdiction the offence is committed.

Jurisdiction.

No Magistrate whose powers are less than those of a Magistrate of the second class shall try any offence under this Act.

Limitation prosecutions.

17. No summons shall issue for the attendance of any person accused of an offence under this Act unless the same is applied for within thirty days from the date upon which the order or consent referred to in section 15 shall have been made or given.

Fines, etc., how to be credited.

18. All fines realised under this Act in any local area to which all or any of the sections of this Act have been extended, and all other sums, if any, which the Local Government may direct to be utilized for the purposes of this Act, shall be credited—

- (i) to the municipal fund, if the local area be within the limits of any Municipality;
- (ii) to the cantonment fund, if the local area be within the limits of any Cantonment;
- (iii) to the district fund, if the local area be within the jurisdiction of any District Board; or
- (iv) to such fund as the Local Government may direct, in the case of any other local area.

*(Chapter II.—General Provisions—Chapter III.—
Penalties.—Sections 19—21.)*

Certain persons to
be deemed public
servants.

19. Every person authorised under section 12 shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code.

Act XLV of
1860.

Power of Local
Government to make
rules.

20. (1) The Local Government may, subject to the condition of previous publication, make rules to carry out the purposes of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, the Local Government may make rules—

- (a) determining what deficiencies in or additions to any article of food, the normal constituents of which have been declared under section 4, shall raise the presumption that such article is not genuine or is injurious to health;
- (b) prescribing the proportion of non-fatty solids and of fat which must be contained in milk sold, exposed for sale or stored for sale;
- (c) prescribing the maximum proportion of water which may be contained in butter sold, exposed for sale or stored for sale;
- (d) prescribing the conditions to be fulfilled by any food notified by the Local Government under clause (f) of sub-section (1) of section 6;
- (e) providing for the appointment by the Local Government, or by any local authority empowered by the Local Government in this behalf, of persons to perform the duties and to exercise the powers mentioned in section 10, or section 12;
- (f) prescribing the fees to be charged by a public analyst for analysing articles of food under this Act; and
- (g) prescribing the funds to which fines and other sums shall be credited under clause (iv) of section 18.

CHAPTER III.

PENALTIES.

Penalties.

21. Whoever contravenes any of the provisions of this Act mentioned in the first column of the following table shall be punished, for a first offence, with fine to the extent mentioned in that behalf in the third column of the said table, and, for a second or subsequent offence, with fine or imprisonment, or with both, to the extent mentioned in the fourth column thereof.

(Chapter III.—Penalties.—Section 21.)

Explanation.—The entries in the second column of the following table, headed "Subject", are not intended as definitions of the offences described in the provisions mentioned in the first column, or even as abstracts of those provisions; but are inserted merely as references to the subject thereof:—

1	2	3	4
Provisions of the Act.	Subject.	Maximum fine which may be imposed for a first offence.	Maximum fine or imprisonment, or both, which may be imposed for a second or subsequent offence.
Section 5, sub-section (1).	Sale, etc., of adulterated food.	Two hundred rupees.	One thousand rupees, or imprisonment for three months, or both.
Section 6, sub-section (1).	Sale, etc., of milk, butter, ghee, wheat flour, mustard oil or notified article which is not of the prescribed quality.	Ditto ...	Ditto.
Section 6, sub-section (2).	Sale, etc., of articles similar to milk, butter, ghee, etc.	One hundred rupees.	Five hundred rupees, or imprisonment for three months, or both.
Section 7, sub-section (1).	Keeping or permitting to be kept substance intended to be used for adulteration of butter, ghee, wheat flour, mustard oil, etc.	Ditto ...	Five hundred rupees.
Section 8.	Sale of milk or other receptacles containing separated or skimmed condensed milk, not properly labelled.	Two hundred rupees.	One thousand rupees.
Section 10, sub-sections (1), (2) and (3).	Refusal to sell or surrender articles of food required for purposes of analysis.	Two hundred rupees.	.....
Section 12, sub-sections (1) and (2).	Offering resistance or obstruction to any authorised person inspecting or examining food or seizing or removing food believed to be adulterated.	Ditto ...	.....
Section 12, sub-section (3).	Removing, interfering or tampering with food, etc., seized and left in custody.	Ditto ...	.....

(The Schedule.)

THE SCHEDULE.

FORM OF CERTIFICATE.

*(See sections 9 and 14.)*To¹

I, the undersigned, public analyst for the
do hereby certify that I received on the
day of 19 , from² a
sample of for analysis (which then
weighed³) and have analysed the same
and declare the result of my analysis to be as
follows :—

I am of opinion that the same is a sample of

**Observations.*

Signed this day of 19

A. B.

at

¹ Here insert the name of the person submitting the article for analysis.

² Here insert the name of the person delivering the sample. If the sample is received by post or by railway, entry should be made accordingly.

³ When the article cannot be conveniently weighed, this passage may be erased or the blank may be left unfilled.

⁴ Here the analyst may insert, at his discretion, his opinion as to whether the mixture (if any) was for the purpose of rendering the article potable or palatable, or of preserving it, or of improving the appearance, or was unavoidable, and may state whether it was in excess of what is ordinary or otherwise.

NOTE.—In the case of a certificate regarding milk, butter or any article liable to decomposition, the analyst shall specially report whether any change had taken place in the constitution of the article that would interfere with the analysis.

A. M. HUTCHISON,

Secy. to the Govt. of Bengal and

Secy. to the Bengal Legislative Council (Offg)



The Calcutta Gazette

WEDNESDAY, SEPTEMBER 24, 1919.

PART III.

Acts of the Bengal Legislative Council.

GOVERNMENT OF BENGAL.

LEGISLATIVE DEPARTMENT.

NOTIFICATION.

No. 1384L. Dated Calcutta, the 22nd September, 1919.—The following Act, passed by the Legislative Council of the Governor of Bengal, received the assent of His Excellency the Governor on the 3rd September, 1919, and, having been assented to by His Excellency the Viceroy and Governor-General on the 13th October, is hereby published for general information :—

BENGAL ACT No. VII OF 1919.

THE CALCUTTA AND SUBURBAN POLICE (AMENDMENT) ACT, 1919.

An Act further to amend the Calcutta Police Act, 1866, and the Calcutta Suburban Police Act, 1866.

WHEREAS it is expedient further to amend the Calcutta Police Act, 1866, and the Calcutta Suburban Police Act, 1866, in the manner hereinafter appearing; Ben. Act IV of 1866. Ben. Act II of 1866.

It is hereby enacted as follows :—

short title.

1. This Act may be called the Calcutta and Suburban Police (Amendment) Act, 1919.

Amendment of
Ben. Act IV of
1866, s. 9, and Ben.
Act II of 1866, s. 3.

2. In section 9 of the Calcutta Police Act, 1866 (hereinafter called "the Calcutta Act"), and in section 3 of the Calcutta Suburban Police Act, 1866 (hereinafter called "the Suburban Act"), for the word "approbation" the word "control" shall be substituted.

Amendment of
Ben. Act IV of
1866, s. 10, and Ben.
Act II of 1866, s. 4.

3. (1) Section 10 of the Calcutta Act shall be renumbered section 10, sub-section (1), and section 4 of the Suburban Act shall be renumbered section 4, sub-section (1).

(2) To the said section 10 of the Calcutta Act, and to the said section 4 of the Suburban Act, the following shall be added, namely:—

"(2) A police-officer shall not by reason of being suspended from office cease to be a police-officer. During the term of such suspension the powers, privileges and duties conferred or imposed upon him as a police-officer shall be in abeyance, but he shall continue subject to the same responsibilities, discipline and penalties and to the same authorities, as if he had not been suspended".

A. M. HUTCHISON,

*Secy. to the Govt. of Bengal and
Secy. to the Bengal Legislative Council (Offg.).*



The Calcutta Gazette

WEDNESDAY, JULY 9, 1919.

PART IV.

Bills introduced in the Bengal Legislative Council, Reports of Select Committees presented or to be presented in that Council, and Bills published before introduction in that Council.

GOVERNMENT OF BENGAL.

LEGISLATIVE DEPARTMENT.

NOTIFICATION.

No. 1012L. *Calcutta, the 4th July 1919.*—The following Bill was introduced in the Bengal Legislative Council on the 3rd July, 1919, and is hereby published for information, together with the Statement of Objects and Reasons annexed thereto:—

THE CALCUTTA AND SUBURBAN POLICE (AMENDMENT) BILL, 1919.

A BILL

further to amend the Calcutta Police Act, 1866, and the Calcutta Suburban Police Act, 1866.

WHEREAS it is expedient further to amend the Calcutta Police Act, 1866, and the Calcutta Suburban Police Act, 1866, in the manner hereinafter appearing;

Ben. Act IV
of 1866.
Ben. Act II
of 1866.

It is hereby enacted as follows:—

Short title.

1. This Act may be called the Calcutta and Suburban Police (Amendment) Act, 1919.

Amendment of
Ben. Act IV of
1866, s. 9, and Ben.
Act II of 1866, s. 3.

2. In section 9 of the Calcutta Police Act, 1866 (hereinafter called "the Calcutta Act"), and in section 3 of the Calcutta Suburban Police Act, 1866 (hereinafter called "the Suburban Act"), for the word "approbation" the word "control" shall be substituted.

Amendment of
Ben. Act IV of
1866, s. 10, and Ben.
Act II of 1866, s. 4.

3. (1) Section 10 of the Calcutta Act shall be renumbered section 10, sub-section (1), and section 4 of the Suburban Act shall be renumbered section 4, sub-section (1).

(2) To the said section 10 of the Calcutta Act, and to the said section 4 of the Suburban Act, the following shall be added, namely:—

"(2) A police-officer shall not by reason of being suspended from office cease to be a police-officer. During the term of such suspension the powers, privileges and duties conferred or imposed upon him as a police-officer shall be in abeyance, but he shall continue subject to the same responsibilities, discipline and penalties and to the same authorities, as if he had not been suspended".

[Cf. Act
of 1861, s.
third para.]

Statement of Objects and Reasons.

Recent judicial proceedings have brought to light two defects in the Calcutta Police Act, 1866 (Bengal Act IV of 1866) and in the Calcutta Suburban Police Act, 1866 (Bengal Act II of 1866).

2. Under section 9 of the Calcutta Police Act and under section 3 of the Calcutta Suburban Police Act, the Commissioner of Police is authorized, subject to the *approbation* of the Local Government, to frame orders and regulations relative to the general government of the force. The meaning of the term "approbation" has never been judicially determined, but it might be held to require each individual order relating to the discipline of the police-force, to be submitted to Government for approval before issue by the Commissioner of Police. This would be impracticable, neither is it necessary; it is therefore proposed, by *clause 2* of the Bill, to substitute for "approbation" the term "control", which is the expression commonly used in similar circumstances in modern legislation.

3. Neither the Calcutta Police Act, nor the Calcutta Suburban Police Act contain a provision corresponding to that embodied in section 8 of the Police Act, 1861 (V of 1861), to the effect that a police-officer under suspension continues subject to the same responsibilities, discipline and penalties, and to the same authorities as if he had not been suspended. This provision was added to the Police Act of 1861 in consequence of difficulties similar to those which have recently arisen in Calcutta, and its omission from the Calcutta Acts seems to have been due to oversight. It is now proposed, by *clause 3* of the Bill, to insert a similar provision in both the Calcutta Acts.

4. As these defects in the Calcutta Acts are liable to impair the discipline of the police-force, and may at any time lead to serious practical difficulties, it is proposed to remedy them at once, instead of waiting for a general revision of the Calcutta Acts, which is now under consideration.

H. WHEELER,

Member in Charge.

A. M. HUTCHISON,

*Secy. to the Govt. of Bengal and
Secy. to the Bengal Legislative Council (Offg.).*



The Calcutta Gazette

WEDNESDAY, AUGUST 20, 1919.

PART IV.

Bills introduced in the Bengal Legislative Council, Reports of Select Committees presented or to be presented in that Council, and Bills published before introduction in that Council.

GOVERNMENT OF BENGAL.

LEGISLATIVE DEPARTMENT.

NOTIFICATION.

No. 1209L., dated Calcutta, the 15th August 1919.—The following Bill was introduced in the Bengal Legislative Council on the 12th August 1919, and is hereby published for information, together with the Statement of Objects and Reasons annexed thereto.

THE CALCUTTA CRUELTY TO ANIMALS BILL, 1919.

CONTENTS.

Preliminary.

CLAUSE.

1. Short title, commencement and extent.
2. Repeal.
3. Definitions.
4. Alteration of limits of Calcutta.

Offences.

5. Penalty for cruelty to animals and for sale of animals killed with unnecessary cruelty.
6. Penalty for overloading animals.
7. Penalty for practising *phuka*.
8. Penalty for killing animals with unnecessary cruelty.

CLAUSE.

9. Penalty for being in possession of the skin of a goat killed with unnecessary cruelty.
10. Presumptions as to possession of the skin of a goat.
11. Penalty for employing animals unfit for labour.
12. Penalty for baiting animals, or inciting them to fight.
13. Penalty for permitting diseased animals to go at large or to die in public places.

Weighbridges and Infirmaries.

14. Weighbridges.
15. Infirmaries.
16. Power of Local Government to appoint Veterinary Inspectors and weighbridge-officers.
17. Animal, etc., to be taken to weighbridge in case of overloading.
18. Excess load to be removed in cases of overloading.
19. Unfit animal to be taken to Veterinary Inspector.
20. Excess load to be treated as unclaimed property in certain circumstances.
21. Disposal of sale-proceeds.
22. Production of animal for examination by Veterinary Inspector.
23. Examination of animals by Veterinary Inspector.
24. Power of Magistrate to send animal to infirmary.
25. Detention and cost of treatment of animal at infirmaries.
26. Destruction of suffering or unfit animals.

Procedure.

27. Arrest of offenders.
28. Special power of search and seizure in respect of certain offences.
29. Search warrants.

Rules.

30. Power of Local Government to make rules.

Miscellaneous.

31. Delegation of powers.
32. Appointments made by local authority.
33. Limitation of time for prosecutions.
34. Persons appointed under sections 16, 17, 19 or 22 to be public servants.
35. Indemnity.
36. Power of local authority to pay certain expenses.
37. Effect when Act is extended outside Calcutta.

A BILL

to consolidate and amend the law relating to the prevention of cruelty to animals in Calcutta.

WHEREAS it is expedient to consolidate and amend the law relating to the prevention of cruelty to animals in Calcutta;

It is hereby enacted as follows:—

Preliminary.

Short title, commencement and extent.

1. (1) This Act may be called the Calcutta Cruelty to Animals Act, 1919. [Cf. Ben. Act I of 1869, s. 1; Ben. Act V of 1911, ss. 1 (3) and 148.]

(2) It shall come into force on such date as the Local Government may, by notification, direct.

(3) Except as otherwise hereinafter provided, this Act shall extend only to Calcutta; but it may be extended by the Local Government, by notification, to any other town or place.

Repeal.

2. (1) The following enactments, namely:— [Cf. Ben. Act II of 1891, s. 2.]

(a) the Bengal Cruelty to Animals Act, 1869; Ben. Act I of 1869.

(b) the Bengal Cruelty to Animals (Arrest) Act, 1869; and Ben. Act III of 1869.

(c) the Bengal Cruelty to Animals Act, 1900. Ben. Act III of 1900.

shall be deemed to be repealed—

(i) in Calcutta, from the date of the commencement of this Act, and

(ii) in any other town or place to which this Act may hereafter be extended under section 1, sub-section (3), from the date of such extension.

(2) Such repeal shall not affect the validity of anything done or suffered, or of any obligation or liability which may have accrued, under any of the said Acts; and all penalties incurred and other things duly done under any of the said Acts shall, so far as they are consistent with this Act, be deemed to have been respectively incurred or done hereunder.

(3) All proceedings pending under any of the said Acts, in Calcutta or in any other town or place, at the date when this Act comes into operation therein, shall be deemed to have been commenced under this Act.

Definitions.

3. In this Act, unless there is anything repugnant in the subject or context,— [Cf. Ben. Act II of 1891, s. 3.]

(1) “animal” means any domestic or captured animal;

(2) “Calcutta” means, subject to the exclusion or inclusion of any local area by notification under section 4, the area described in Schedule I to the Calcutta Municipal Act, 1899; Ben. Act III of 1899.

(3) “the Corporation” means the Corporation of Calcutta; and

(4) “notification” means a notification published in the *Calcutta Gazette*.

(Preliminary.—Offences.—Clauses 4-9.)

Alteration of limits
of Calcutta.

4. The Local Government may, by notification, exclude from Calcutta any local area or include therein any area in the vicinity of the same, and defined in the notification. [Cf. Ben. Act II of 1891, s. 4.]

Offences.

Penalty for cruelty
to animals and for
sale of animals killed
with unnecessary
cruelty.

5. Every person who—

- (a) overdrives, cruelly or unnecessarily beats, or otherwise ill-treats any animal, or
- (b) binds, keeps or carries any animal in such a manner or position as to subject the animal to unnecessary pain or suffering, or
- (c) offers, exposes or has in his possession for sale any live animal which is suffering pain by reason of mutilation, starvation, thirst or other ill-treatment, or any dead animal which he has reason to believe to have been killed in an unnecessarily cruel manner,

[Cf. Act XI
of 1890, s. 3;
Ben. Act I of
1869, s. 2.]

shall be punished for every such offence with fine which may extend to one hundred rupees, or with imprisonment for a term which may extend to three months, or with both.

Penalty for over-
loading animals.

6. Every person who overloads any animal shall be punished with fine which may extend to one hundred rupees, or with imprisonment for a term which may extend to three months, or with both, and [Cf. Act XI of 1890, s. 3 (a); Ben. Act I of 1869, s. 2.]

- (1) the owner of that animal; and
- (2) any person who, as a trader, carrier or contractor, or who, in virtue of his employment by a trader, carrier or contractor, is in possession of that animal or in charge of it, over the loading of it,

shall also be liable to the same punishment.

Penalty for practis-
ing *phuka*.

7. Every person who performs upon any cow the operation called *phuka* shall be punished with fine which may extend to one hundred rupees, or with imprisonment for a term which may extend to three months, or with both, and the owner of the cow and any person in possession of or control over it shall be liable to the same punishment. [Cf. Act XI of 1890, s. 4; Ben. Act I of 1869, s. 5A.]

Penalty for killing
animals with un-
necessary cruelty.

8. Every person who kills any animal in an unnecessarily cruel manner shall be punished with fine which may extend to two hundred rupees, or with imprisonment for a term which may extend to six months, or with both: [Cf. Act XI of 1890, s. 5.]

Provided that nothing in this section shall render it an offence to kill any animal in a manner required by the religion or religious rites and usages of any race, sect, tribe or class. [Cf. Act XI of 1890, s. 11.]

Penalty for being
in possession of the
skin of a goat killed
with unnecessary
cruelty.

9. If any person has in his possession the skin of a goat, and has reason to believe that the goat has been killed in an unnecessarily cruel manner, he shall be punished with fine which may extend to one hundred rupees, or with imprisonment which may extend to three months, or with both, and the skin shall be confiscated. [Cf. Act XI of 1890, s. 5A.]

(Offences.—Weighbridges and Infirmaries.—Clauses 10-15.)

Presumptions as to possession of the skin of a goat.

10. (1) If any person is charged with the offence of killing a goat contrary to the provisions of section 8, and it is proved that such person had in his possession, after the offence was alleged to have been committed, the skin of a goat with any part of the skin of the head attached thereto, it shall be presumed, until the contrary be proved, that such goat was killed in an unnecessarily cruel manner.

[Cf. Act XI of 1890, s. 5B.]

(2) If any person is charged with an offence against section 9, and it is proved that such person had in his possession, at the time of the alleged offence, the skin of a goat with any part of the skin of the head attached thereto, it shall be presumed, until the contrary be proved, that such goat was killed in an unnecessarily cruel manner, and that the person in possession of such skin had reason so to believe.

Penalty for employing animals unfit for labour.

11. Every person who employs in any work or labour any animal which by reason of any disease, infirmity, wound, sore or other cause is unfit to be so employed, shall be punished with fine which may extend to one hundred rupees, and

[Cf. Act XI of 1890, s. 6 (1); Ben. Act I of 1869, s. 5.]

(1) the owner of that animal; and

(2) any person who, as a trader, carrier or contractor, or who, in virtue of his employment by a trader, carrier or contractor, is in possession of that animal or in control over the employment of it,

shall also be liable to the same punishment.

Penalty for baiting animals, or inciting them to fight.

12. Every person who—

(a) incites any quadrupeds or birds, whether domestic or wild, to fight, or

(b) baits any animal,

[Cf. Ben. Act I of 1869, s. 2.]

and every person who aids or abets any one in such offence or baiting, shall be punished with fine

(ii) may extend to fifty rupees.

Penalty for permitting diseased animals to go at large or to die in public places.

13. Every person who wilfully permits any animal of which he is the owner to go at large in any public place while the animal is affected with contagious or infectious disease, or who, without reasonable excuse, permits any diseased or disabled animal of which he is the owner to die in any public place, shall be punished with fine which may extend to one hundred rupees.

[Cf. Act XI of 1890, s. 7; Ben. Act I of 1869, s. 4.]

Weighbridges and Infirmaries.

Weighbridges.

14. (1) The Local Government may appoint the places at which weighbridges shall be established for the detection of cases of overloading of animals, and may also declare, by notification, the limits of the areas for which such weighbridges are established.

(2) The Local Government may erect weighbridges at the places so appointed, and may acquire, by purchase or otherwise, existing weighbridges erected by any person and maintain them for the purposes of sub-section (1).

Infirmaries.

15. The Local Government may, by general or special order, appoint places to be infirmaries for the treatment and care of animals in respect of which offences against this Act are believed to have been committed.

[Act XI of 1890, s. 6 (1); Ben. Act I of 1869, s. 5B (1).]

(Weighbridges and Infirmaries.—Clauses 16-20.)

Power of Local Government to appoint Veterinary Inspectors and weighbridge-officers.

16. The Local Government may appoint such persons as they think fit,—

- (a) to be Veterinary Inspectors for carrying into effect the provisions of this Act, and may declare the areas within which such officers shall exercise their powers under this Act and the areas of which they shall be in charge;
- (b) to be weighbridge-officers, to have charge of any weighbridge or weighbridges established under section 14.

Animal, etc., to be taken to weighbridge in case of overloading.

17. Within the limits of any area for which a weighbridge has been established under section 14, any police-officer, or any other person duly authorized by the Local Government in this behalf, who has reason to believe that an offence against section 6 is being committed in respect of any animal, shall seize and take it, together with its load and the person in charge of the animal, to such weighbridge, and shall cause the load to be weighed on the weighbridge in the presence of such person.

Excess load to be removed in cases of overloading.

18. (1) If the weighbridge-officer is not satisfied that an offence against section 6 has been committed, he shall inform the police-officer or person who seized the animal accordingly, and that officer or person shall forthwith release the animal and load.

(2) If the weighbridge-officer is satisfied that an offence against section 6 has been committed, he shall cause the excess load to be removed.

Unfit animal to be taken to Veterinary Inspector.

19. Any police-officer, or any other person duly authorized by the Local Government in this behalf, who has reason to believe that an offence against section 11 is being committed in respect of any animal, shall seize and take it, together with its load, if any, and the person in charge of the animal, to the weighbridge, if any, appointed for the area, within which such seizure is made, or, in the case of there being no weighbridge appointed for the area, to the nearest police-station, and shall remove the load forthwith and report the fact of such seizure to the Veterinary Inspector in charge of that area.

Excess load to be treated as unclaimed property in certain circumstances.

20. (1) Any excess load removed from an animal under section 18, sub-section (2), and any load which was being carried by an animal seized under section 19, and taken to the weighbridge, shall be kept by the weighbridge-officer, at the risk of the owner of such load, at the weighbridge, or at any other place appointed by the Local Government for this purpose, and, if not removed by the owner within twenty-four hours, it shall be made over by the weighbridge-officer to the police and removed to the nearest police-station.

(1a) Any load which was being carried by an animal seized under section 19 and taken to a police-station, shall be kept by the officer in charge of the police-station, at the police-station, or at any other place appointed by the Local Government for this purpose. The said load shall be kept during the first twenty-four hours of such detention at the risk of the owner thereof, and he may remove the same during that period.

(2) The officer in charge of the police-station shall—

- (a) in the case of any load removed to the police-station under sub-section (1), and

(Weighbridges and Infirmaries.—Clauses 21-24.)

(b) in the case of any load referred to in sub-section (1a), if not removed by the owner within twenty-four hours,

enter, in a register to be kept for the purpose, such particulars of the load as may be prescribed by rules made under section 30, and the load shall thereafter be returned to the person who proves to the satisfaction of the Commissioner of Police that the same belongs to him, on payment of all costs incurred in the removal and detention of such load:

[Cf. Ben. Act II of 1891, s. 59.]

Provided that if the load, or any part thereof, consists of articles which are subject to speedy and natural decay, or consists of livestock, that load, or part thereof, may forthwith be sold or otherwise disposed of under the orders of the Commissioner of Police in accordance with rules made under section 30; and the sale-proceeds, after deducting therefrom all expenses incurred in the removal, detention and sale of the entire load, shall be made over to the owner, on proof of his ownership, within six months from the date of entry in the register.

Disposal of sale-proceeds.

21. If within six months from the date of entry in the register no person satisfies the Commissioner of Police that he is the owner of the load, the Commissioner may cause it to be sold or otherwise disposed of in accordance with rules made under section 30, and the proceeds of the sale under this section, or of the sale under the proviso to sub-section (2) of section 20, after deducting therefrom all expenses, shall be applied in such manner as the Local Government may prescribe by rules made under section 30.

[Cf. Ben. Act II of 1891, s. 59 (4).]

Production of animal for examination by Veterinary Inspector.

22. (1) Any police-officer, or any other person duly authorized by the Local Government in this behalf, who has reason to believe that an offence against this Act has been or is being committed in respect of any animal, may, if the circumstances so require, seize the animal and produce the same for examination by the Veterinary Inspector, if any, in charge of the place in which the animal is seized.

(2) The police-officer or person who seizes any animal under sub-section (1) may require the person in charge of the animal to accompany it to the place of examination.

Examination of animals by Veterinary Inspector.

23. (1) For the purposes of the examination of an animal sent to a Veterinary Inspector in accordance with the provisions of section 22, he may submit the animal to any test which the Local Government may prescribe by rules made under section 30.

(2) If, on such examination, the Veterinary Inspector is of opinion that the animal is unfit to be employed on the work or labour on which it was employed at the time of its seizure, he shall either send the animal for treatment and care to an infirmary appointed under section 15, or (if he considers that a prosecution is necessary, or if the owner of the animal so elects) direct the prosecution of the offender and produce the animal before the Magistrate.

Power of Magistrate to send animal to infirmary.

24. The Magistrate before whom a prosecution for any offence under this Act has been instituted may, if he thinks fit, direct that the animal, in respect of which the offence is alleged or proved to have been committed, shall be sent for treatment and care to an infirmary appointed under section 15.

[Cf. Act XI of 1890, s. 6 (3).]

*(Weighbridges and Infirmarys.—Clauses
25, 26.)*

Detention and cost
of treatment of ani-
mals at infirmaries.

25. (1) When any animal has been sent to an infirmary in accordance with the provisions of section 23, sub-section (2), or of section 24, it shall be detained there until, in the opinion of the officer in charge of the infirmary, it is cured, or again fit for the work or labour on which it has been ordinarily employed. [Cf. Act XI
of 1890, s. 6
(3), (4), (5)
and (6).]

(2) The cost of the treatment, feeding and watering of the animal in the infirmary shall be payable by the owner of the animal, according to such scale of rates as the Commissioner of Police may, from time to time, prescribe.

(3) If the owner refuses or neglects to pay such cost, or to remove the animal within such time as the officer in charge of the infirmary may prescribe, that officer may direct that the animal be sold and the proceeds of the sale be applied to the payment of such cost.

(4) The surplus, if any, of the proceeds of the sale, shall, on application to be made by the owner within two months after the date of the sale, be paid to him; but the owner shall not be liable to make any payment in excess of the proceeds of the sale.

(5) If no application is made by the owner for the surplus sale-proceeds within the period prescribed under sub-section (4), these proceeds shall be applied in such manner as the Local Government may prescribe by rules made under section 30.

Destruction of
suffering or unfit
animals.

26. (1) When any Magistrate, or the Commissioner of Police, has reason to believe that an offence against this Act has been committed in respect of any animal, the Magistrate or the Commissioner of Police may direct the immediate destruction of the animal, if, in his opinion, its sufferings are such as to render such a direction proper. [Cf. Act XI
of 1890, s. 10.]

(2) When any animal is sent to an infirmary in accordance with the provisions of section 23, sub-section (2), or of section 24, the officer in charge of the infirmary may direct the immediate destruction of the animal, if, in his opinion, its sufferings are such as to render such direction proper, or if he considers it to be permanently unfit for work by reason of old age or some incurable disease.

(3) Any police-officer who finds any animal so diseased, or so severely injured, or in such a physical condition, that it cannot without cruelty be removed shall, if the owner is absent or refuses to consent to the destruction of the animal, at once summon the Veterinary Inspector in charge of the area in which the animal is found and, if the Veterinary Inspector certifies that the animal is mortally injured, or so severely injured, or so diseased, or in such a physical condition, that it is cruel to keep it alive, the police-officer may, without the consent of the owner, kill the animal or cause it to be killed in such manner as to inflict as little pain and suffering as practicable. [Cf. 7 Edw.
7, c. 5, s. 1.]

*(Procedure.—Rules.—Clauses 27-30.)**Procedure.*

Arrest of offenders.

27. (1) Any police-officer may arrest without a warrant any person committing in his view any offence against this Act, or any person against whom he has received credible information of having committed an offence against this Act, if the name and address of the accused person is unknown to the officer, and if such person, on demand, declines to give his name and address or gives a name and address which such officer has reason to believe to be false.

[Cf. Ben. Act III of 1869, s. 1; Act V of 1898, s. 57.]

(2) When the true name and address of a person arrested under sub-section (1) have been ascertained, he shall be released on his executing a bond, with or without sureties, to appear before a Magistrate if so required:

Provided that if such person is not resident in British India, the bond shall be secured by a surety or sureties resident in British India.

(3) If the true name and address of such person is not ascertained within twenty-four hours from the time of arrest, or if he fails to execute the bond, or if so required, to furnish sufficient sureties, he shall forthwith be forwarded to the nearest Magistrate having jurisdiction.

Special power of search and seizure in respect of certain offences.

28. If a police-officer, not below the rank of Sub-Inspector, has reason to believe that an offence against section 8 in respect of a goat is being or is about to be, or has been, committed in any place, or that any person has in his possession the skin of a goat with any part of the skin of the head attached thereto, he may enter and search such place or any place in which he has reason to believe any such skin to be, and may seize any such skin and any article or used or intended to be used in the commission of such offence.

[Cf. Act XI of 1890, s. 7A.]

Search warrants.

29. (1) If a Magistrate of the first class, or the Commissioner of Police, upon information in writing and after such inquiry as he thinks necessary, has reason to believe that an offence against section 7, section 8 or section 11 is being or is about to be, or has been, committed in any place, he may, at any time by day or by night, without notice, either himself enter and search, or, by his warrant, authorize any police-officer above the rank of a constable to enter and search, the place.

[Cf. Act XI of 1890, s. 8; Ben. Act III of 1899, s. 501.]

(2) The provisions of the Code of Criminal Procedure, 1898, relating to searches under that Code shall, so far as those provisions can be made applicable, apply to a search made under sub-section (1) or under section 28.

Act V of 1898.

Rules.

Power of Local Government to make rules.

30. (1) The Local Government may, from time to time, make rules to carry out the purposes of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, the Local Government may make rules—

(a) prescribing the maximum weight of the loads to be carried on or drawn by animals;

(Miscellaneous.—Clauses 31-37.)

- (b) for regulating the use of tests and the manner of examination of animals ;
- (c) prescribing the qualifications of persons to be appointed to be Veterinary Inspectors and weighbridge-officers ;
- (d) prescribing the particulars to be entered in the register maintained under section 20, sub-section (2) ;
- (e) prescribing such other forms or registers as may be required for carrying out the purposes of this Act ;
- (f) for carrying out the provisions of the proviso to sub-section (2) of section 20 and of section 21 in regard to the disposal of loads ;
- (g) prescribing the manner in which fines realized under this Act and sale-proceeds realized under section 21 and section 25, sub-section (5), shall be applied ; and
- (h) for regulating the destruction of animals under section 26.

Miscellaneous.

Delegation of powers.

31. The Local Government may delegate, under such restrictions as they consider fit, any of the powers conferred upon them by sections 14, 15, 16 and 20 of this Act to any person or local authority. [Cf. Ben. Act I of 1885, s. 86.]

Appointments made by local authority.

32. Every appointment made by a local authority under section 16, in exercise of the power delegated to it under section 31, shall be deemed to be an appointment made under the Act by which such local authority is constituted.

Limitation of time for prosecutions.

33. A prosecution for an offence against this Act shall not be instituted after the expiration of twelve months from the date of the commission of the offence. [Act XI of 1890, s. 9; Ben. Act I of 1885, s. 5C.]

Persons appointed under section 16, 17, 19 or 22 to be public servants.

34. Every person appointed under section 16, 17, 19 or 22 shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code.

Indemnity.

35. No suit, prosecution or other legal proceeding shall lie against any person who is, or who has been declared to be, a public servant within the meaning of section 21 of the Indian Penal Code for anything which is, in good faith, done or intended to be done under this Act.

Power of local authority to pay certain expenses.

36. Notwithstanding anything contained in the Calcutta Municipal Act, 1899, the Bengal Municipal Act, 1884, or the Bengal Local Self-Government Act of 1885, the Corporation, the Commissioners of a Municipality or the District Board may provide from the funds at their disposal such sums as may be necessary for paying the expenses incidental to the exercise of any of the powers delegated to them under section 31. [Ben. Act III of 1899, Ben. Act III of 1884, Ben. Act III of 1885.]

Effect when Act is extended outside Calcutta.

37. Whenever this Act is extended to any town or place outside Calcutta, under section 1, sub-section (3), the Local Government may, by notification, appoint persons, either by name or by official designation, to exercise and perform in such town or place the same powers and duties as are conferred or imposed by this Act on the Commissioner of Police. [Cf. Ben. Act II of 1891, s. 61.]

THE CALCUTTA PREVENTION OF CRUELTY TO ANIMALS BILL, 1919.

STATEMENT OF OBJECTS AND REASONS.

THE question of bringing up to date the law for the prevention of cruelty to animals, particularly in Calcutta, has been under the consideration of Government for some time past. The system in force in Calcutta does not appear to have eradicated the various forms of cruelty to which domestic and captured animals are often subjected. In 1915 the Government, with a view to the improvement of the law on the subject and its administration, appointed a representative Committee to examine the matter and to make suggestions with regard thereto. The Committee suggested that the existing

- (1) The Bengal Cruelty to Animals Act, 1869 (Ben. Act I of 1869).
- (2) The Bengal Cruelty to Animals (Arrest) Act, 1869 (Ben. Act III of 1869).
- (3) The Bengal Cruelty to Animals Act, 1900 (Ben. Act III of 1900).
- (4) The Prevention of Cruelty to Animals Act, 1890 (XI of 1890).
- (5) The Prevention of Cruelty to Animals (Amendment) Act, 1917 (XIV of 1917).

law, which is contained in the Acts noted in the margin, might be amended in certain directions, particularly as regards overloading, the working of unfit animals and the practice of *phuka*. In order to carry out the suggestions of the Committee it has been thought desirable to

introduce a consolidating Bill bringing together the entire law in Bengal on the subject of cruelty to animals, the opportunity being taken at the same time to make certain necessary amendments.

NOTES ON CLAUSES.

Clause 1.

Sub-clause (2).—In order to give time to make rules under *clause 30*, it is intended to postpone the commencement of the operation of the proposed Act until a date to be notified by the Local Government.

Sub-clause (3).—The proposed Act will apply to Calcutta, in the first instance. It will be subsequently extended to other areas.

• *Clause 2.*

Sub-clause (1).—The proposed Act will apply in the first instance only to Calcutta. The old Acts will continue to be in force, but they will be repealed in those areas as soon as the new Act is extended to them.

Clause 4.

This clause is based on section 4 of Bengal Act II of 1891 and will enable the Local Government to alter the limits of Calcutta by notification.

Clause 5.

This clause follows section 3 of the Cruelty to Animals Act, 1890 (XI of 1890) and section 2 of Bengal Act I of 1869. In *sub-clause (a)* it has been made clear that "cruelly or unnecessarily" applies merely to beating; in *sub-clause (b)* the word "keeps" has been inserted to cover all cases of cruelty likely to come under the operation of this clause; and in *sub-clause (c)* thirst has been made an element of the offence.

Clause 6.

This clause is based on section 3(a) of Act XI of 1890. It has been amplified so as to make a trader, carrier or contractor and his servants liable, but not to make an ordinary fare liable.

Clause 7.

This clause reproduces section 4 of Act XI of 1890 and section 5A of Bengal Act I of 1869. It has been amended so as to make the owner and any person in possession of or control over the cow upon which *phuka* is practised liable to punishment as well as the person who actually performs the operation.

Clause 8.

This clause corresponds to sections 5 and 11 of Act XI of 1890.

Clause 9.

This clause reproduces section 5A of Act XI of 1890.

Clause 10.

In reproducing the provisions of section 5B of Act XI of 1890 the opportunity has been taken to make the intention clearer by removing the possible ambiguity involved in the original section that the skin could be in the possession of a person before the offence is actually committed.

Clause 11.

This clause reproduces the provisions of section 6 (1) of Act XI of 1890 and section 5 of Bengal Act I of 1869, but has been made more comprehensive so as to make the responsibility as wide as possible.

Clause 12.

This clause reproduces section 3 of Bengal Act I of 1869.

Clause 13.

This clause reproduces section 7 of Act XI of 1890 and section 4 of Bengal Act I of 1869.

Clause 14.

This is new. It is intended to facilitate the detection of cases of overloading of animals by establishing weighbridges. Power is taken in *sub-clause* (2) to acquire existing weighbridges.

Clause 15.

This clause reproduces section 6 (1) of Act XI of 1890 and section 5B (1) of Bengal Act I of 1869.

Clause 16.

This clause provides for the appointment of Veterinary and weighbridge-officers.

Clause 17.

This clause empowers any police-officer to seize an animal with its load in case of overloading and to take it to the weighbridge appointed for the area in which the seizure is made. To prevent possible abuse of this power it has been provided that weighing of the load is to be made in the presence of the person in charge of the animal. Power is also taken in this clause and in *clauses 18, 19 and 22* to vest veterinary officers, agents of the Society for the Prevention of Cruelty to Animals, etc., with the powers of police-officers.

Clause 18.

This clause prescribes certain duties of weighbridge-officers in respect of overloading.

Clause 19.

This clause authorizes the seizure and taking of unfit animals to weighbridges, or in areas where there are no weighbridges, to police-stations, where they are to be relieved.

Clauses 20 and 21.

These two clauses authorize the Commissioner of Police to treat an excess load not removed by the owner within a certain period as unclaimed property and to sell or otherwise dispose of it in accordance with rules made under *clause 30*.

Clause 22.

This clause empowers any police-officer or any other person authorized by the Local Government to seize an animal when an offence under this Act is believed to have been committed upon it and to produce the same before a Veterinary Inspector for examination.

Clause 23.

This clause gives power to Veterinary Inspectors to examine animals and to send them to an infirmary for treatment and care, if necessary.

Clause 24.

The Magistrate before whom a prosecution under this Act has been instituted is also empowered to send animals to an infirmary. This clause corresponds to section 6 (3) of Act XI of 1890.

Clause 25.

This clause is based on the provisions of section 6 (3), (4), (5) and (6) of Act XI of 1890, but power has been taken to detain an unfit animal in an infirmary till it is again fit for work.

Clause 26.

Sub-clause (1) reproduces section 10 of Act XI of 1890.

Sub-clause (2) gives power to the officer in charge of an infirmary to destroy an animal if its sufferings are so great as to justify its destruction, or if it is unfit for work owing to old age or some incurable disease.

Sub-clause (3) is based on section 1 of the English Statute 7, Edw. 7, c. 5 and authorizes any police-officer to kill an injured or diseased animal on the certificate of a Veterinary Inspector appointed under this Act for the area in which the animal is found.

Clause 27.

which is based on section 1 of Bengal Act I of 1869, gives power to an officer to arrest offenders without a warrant and to release them on sureties which in some cases are to be secured by one or more

Clause 28.

This clause reproduces the provisions of section 7A of Act XI of 1890 and confers power on police-officers not below the rank of Sub-Inspector to search and seize in respect of certain offences.

Clause 29.

This clause is based on section 8 of Act XI of 1890 and gives power to Magistrates of the first class and the Commissioner of Police to enter and search a place where certain offences are suspected to have been committed or to issue search warrants for this purpose.

Clause 30.

This clause gives power to the Local Government to make rules to carry out the purposes of the Act. *Sub-clause (2) (a)* takes power to prescribe load limits for draught cattle by rules, and *sub-clause (2) (d)* will enable rules to be made regarding the notice to be given to an owner before disposal of loads under *clause 21*.

Clause 31.

This clause enables the Local Government to delegate their powers under *clauses 14, 15, 16 and 20* to any person or local authority.

Clause 32.

This clause provides that an appointment made by a local authority shall be subject to the same incidents as an appointment made under the Act by which the local authority is constituted.

Clause 33.

This clause prescribes a period of limitation for prosecutions under the proposed Act. It reproduces the provisions of section 9 of Act XI of 1890 and section 5C of Bengal Act I of 1869.

Clause 34.

This clause declares the persons appointed under *clauses 16, 17, 19 or 22* to be public servants.

Clause 35.

This clause supplies the necessary safeguard in respect of acts done in good faith under the proposed Act by persons who are public servants.

Clause 36.

This clause will enable a local authority to whom power is delegated under *clause 31* to meet the expenses incidental thereto from its own funds.

Clause 37.

This clause empowers the Local Government to provide for the performance of the functions of the Commissioner of Police when the proposed Act is extended outside Calcutta.

H. WHEELER,

Member-in-charge

id (Offg.).

A. M. HUTCHINSON

Secy. to the Govt. of

Secy. to the Bengal Legislative Council (Offg.).



The Calcutta Gazette

WEDNESDAY, SEPTEMBER 10, 1919.

PART IV.

Bills introduced in the Bengal Legislative Council, Reports of Select Committees presented or to be presented in that Council, and Bills published before introduction in that Council.

GOVERNMENT OF BENGAL.

LEGISLATIVE DEPARTMENT.

NOTIFICATION.

No. 1339L., dated Calcutta, the 8th September, 1919.—The following report of a Select Committee, which was presented to the Bengal Legislative Council on the 3rd September, 1919 (with the Bill as introduced in Council), is hereby published for information:—

THE CALCUTTA AND SUBURBAN POLICE (AMENDMENT) BILL,
1919.

**Report of the Select Committee on the Calcutta and Suburban
Police (Amendment) Bill, 1919.**

We, the undersigned Members of the Select Committee, to which the Bill further to amend the Calcutta Police Act, 1866, and the Calcutta Suburban Police Act, 1866, was referred, have considered the Bill and have the honour to submit this our Report with the Bill annexed hereto :—

“ We recommend that the Bill, as introduced in Council, be passed.”

H. WHEELER,

Member-in-charge.

J. H. KERR,

F. C. FRENCH,

J. F. GRAHAM,

R. V. MANSELL,

*RADHA CHARAN PAL,

ABDULLA-AL-MAMUN SUHRAWARDY.

A. M. HUTCHISON,

*Secy. to the Govt. of Bengal and
Secy. to the Bengal Legislative Coun*

CALCUTTA ;

The 6th August, 1919.

* This member signed subject to his note of dissent appended.

Before signing the Report, the members of the Select Committee were furnished with copies of the letter from the Secretary, Indian Association, dated the 28th July, 1919, containing an opinion on the provisions of the Bill.

**Note of dissent by the Hon'ble Rai Radha Charan Pal
Bahadur.**

I think that the Metropolitan Police Act and the County and Borough Police Act may be followed, but I do not find any provision in these Acts quite similar to the provisions proposed in the Bill. In India, the Police Act of 1861 contains the second provision suggested—see section 8, the third paragraph, and the Bombay City Police Act, 1902 contains both the provisions—see sections 8(3) and 12 of that Act.

As regards the first amendment, I do not wish to raise any objection, but desire only to suggest that any order which affects the public and not the force only should receive the sanction of Government.

As regards the second provision, I think it should be clearly provided that nothing should be done or ordered so as to restrict the free movement of the suspended officer to obtain redress from outside, or to place him at a disadvantage.

**THE CALCUTTA AND SUBURBAN POLICE
(AMENDMENT) BILL, 1919 ;**

(as passed in Council on the 3rd September, 1919).

**A
BILL**

*further to amend the Calcutta Police Act, 1866, and
the Calcutta Suburban Police Act, 1866.*

WHEREAS it is expedient further to amend the Calcutta Police Act, 1866, and the Calcutta Suburban Police Act, 1866, in the manner hereinafter appearing ;

Ben. Act IV
of 1866.
Ben. Act II
of 1866.

It is hereby enacted as follows :—

Short title.

1. This Act may be called the Calcutta and Suburban Police (Amendment) Act, 1919.

Amendment of
Ben. Act IV of
1866, s. 9, and Ben.
Act II of 1866, s. 8.

2. In section 9 of the Calcutta Police Act, 1866 (hereinafter called "the Calcutta Act"), and in section 3 of the Calcutta Suburban Police Act, 1866 (hereinafter called "the Suburban Act"), for the word "approbation" the word "control" shall be substituted.

Amendment of
Ben. Act IV of
1866, s. 10, and Ben.
Act II of 1866, s. 4.

3. (1) Section 10 of the Calcutta Act shall be renumbered section 10, sub-section (1), and section 4 of the Suburban Act shall be renumbered section 4, sub-section (1).

(2) To the said section 10 of the Calcutta Act, and to the said section 4 of the Suburban Act, the following shall be added, namely :—

"(2) A police-officer shall not by reason of being suspended from office cease to be a police-officer. During the term of such suspension the powers, privileges and duties conferred or imposed upon him as a police-officer shall not be in abeyance, but he shall continue subject to the same responsibilities, discipline and penalties and to the same authorities, as if he had not been suspended".

A. M. HUTCHISON,

*Secy. to the Govt. of Bengal and
Secy. to the Bengal Legislative Council (Offg.).*

**To be substituted for page 176 of
Part IV of the *Calcutta Gazette*,
dated the 10th September 1919.**

**THE CALCUTTA AND SUBURBAN POLICE
(AMENDMENT) BILL, 1919.**

**A
BILL**

*further to amend the Calcutta Police Act, 1866, and
the Calcutta Suburban Police Act, 1866.*

WHEREAS it is expedient further to amend the Calcutta Police Act, 1866, and the Calcutta Suburban Police Act, 1866, in the manner hereinafter appearing; Ben. Act IV of 1866. Ben Act II of 1866.

It is hereby enacted as follows :—

Short title.

1. This Act may be called the Calcutta and Suburban Police (Amendment) Act, 1919.

Amendment of Ben. Act IV of 1866, s. 9, and Ben. Act II of 1866, s. 3.

2. In section 9 of the Calcutta Police Act, 1866 (hereinafter called “the Calcutta Act”), and in section 3 of the Calcutta Suburban Police Act, 1866 (hereinafter called “the Suburban Act”), for the word “approbation” the word “control” shall be substituted.

Amendment of Ben. Act IV of 1866, s. 10, and Ben. Act II of 1866, s. 4.

3. (1) Section 10 of the Calcutta Act shall be renumbered section 10, sub-section (1), and section 4 of the Suburban Act shall be renumbered section 4, sub-section (1).

(2) To the said section 10 of the Calcutta Act, and to the said section 4 of the Suburban Act, the following shall be added, namely :—

“(2) A police-officer shall not by reason of being suspended from office cease to be a police-officer. During the term of such suspension the powers, privileges and duties conferred or imposed upon him as a police-officer shall be in abeyance, but he shall continue subject to the same responsibilities, discipline and penalties and to the same authorities, as if he had not been suspended.” [Cf. Act V of 1861, s. 8, third para.]

A. M. HUTCHISON,

*Secy. to the Govt. of Bengal and
Secy. to the Bengal Legislative Council (Offg.).*



The Calcutta Gazette

WEDNESDAY, NOVEMBER 12, 1919.

PART IV.

Bills introduced in the Bengal Legislative Council, Reports of Select Committees presented or to be presented in that Council, and Bills published before introduction in that Council.

GOVERNMENT OF BENGAL.

LEGISLATIVE DEPARTMENT.

NOTIFICATION.

No. 1570L, dated Calcutta, the 10th November 1919.—His Excellency the Governor having been pleased to order, under rule 31 (1) of the Bengal Legislative Rules, 1912, the publication of the following Bill, together with the Statement of Objects and Reasons which accompanies it, in the *Calcutta Gazette*, the Bill and Statement of Objects and Reasons are accordingly hereby published for general information. It is proposed to introduce the Bill at the meeting of the Bengal Legislative Council to be held on the 19th November, 1919.

THE EASTERN FRONTIER RIFLES (BENGAL BATTALION) BILL, 1919.

CONTENTS.

CLAUSE.

1. Short title, local extent and commencement.
2. Repeal.
3. Definitions.
4. Appointment and discharge.
5. Classes and rank of riflemen.
6. Heinous offences.
7. Other offences, including acts prejudicial to good order and discipline.
8. Minor offences and punishments.
9. Manner of imprisonment.
10. Powers of Commandants and Assistant Commandants for inquiring into offences under this and other Acts.
11. Privileges of Commandants and Assistant Commandants.
12. Power of Local Government to make rules.

THE SCHEDULE.

THE EASTERN FRONTIER RIFLES (BENGAL BATTALION) BILL, 1919.

[NOTES.—(1) Alterations which it is proposed to make in the existing law are, as far as possible, underlined.

(2) The figures "1912", in the margin mean the Eastern Bengal and Assam Military Police Act, 1912 (E. B. and A. Act III of 1912).]

A

BILL

to amend the law relating to the Regulation of the Eastern Frontier Rifles (Bengal Battalion).

WHEREAS it is expedient to amend the law relating to the maintenance of discipline among riflemen;

And whereas the previous sanction of the Governor General has been obtained under section 79, sub-section (2), of the Government of India Act, 1915, to the passing of this Act;

5 & 6 Geo.
V, c. 61.

It is hereby enacted as follows:—

Short title, local
extent and com-
mencement.

1. (1) This Act may be called the Eastern Frontier Rifles (Bengal Battalion) Act, 1919; [Cf. 1912, s. 1.]

(2) It extends to the whole of Bengal; and

(3) It shall come into force on such day as the Local Government may, by notification in the Calcutta Gazette, direct.

Repeal.

2. The Eastern Bengal and Assam Military Act, 1912, is hereby repealed. [E. B. and A. Act III of 1912]

Definitions.

3. In this Act, unless there is anything repugnant in the subject or context,— [Cf. 1912, s. 3.]

(1) "active service" means service at outposts or against hostile tribes or other persons in the field;

(2) "Commandant" or "Assistant Commandant" means a person appointed by the Local Government to be a Commandant or an Assistant Commandant of the Eastern Frontier Rifles (Bengal Battalion), hereinafter referred to as the battalion;

(3) "District Magistrate" includes a Deputy Commissioner and the Superintendent of the Chittagong Hill-tracts;

(4) "rifleman" means a police-officer appointed under section 7 of the Police Act, 1861, who has signed the statement in the Schedule to this Act in accordance with the provisions of this Act, and includes a Military Police-officer appointed under the Bengal Military Police Act, 1892, or the Assam Military Police Regulation, 1890, or the Eastern Bengal and Assam Military Police Act, 1912;

V of 1861.

V of 1892.
Regulation
IV of 1890.
E. B. and A.
Act III of
1912.

*The Eastern Frontier Rifles (Bengal Battalion)
Bill, 1919.*

(Clauses 4—6.)

(5) “superior officer” means, in relation to any rifleman,—

(a) any officer of a higher class than, or of a higher grade in the same class as, himself, and

(b) any Assistant Commandant, Commandant or District Magistrate;

(6) the expressions “reason to believe”, “criminal force”, “assault”, “fraudulently” and “voluntarily causing hurt” have the meanings assigned to them respectively in the Indian Penal Code.

Act XLV of 1860.

Appointment and discharge.

4. (1) Before a police-officer appointed under section 7 of the Police Act, 1861, is enrolled under this Act, the statement in the Schedule shall be read and, if necessary, explained, to him, in the presence of a Magistrate, Commandant or Assistant Commandant, and shall be signed by him in acknowledgment of its having been so read to him.

[Cf. 1912, s. 4.]
V of 1861.

(2) Notwithstanding anything contained in section 9 of the Police Act, 1861, a rifleman shall not be entitled to be discharged except in accordance with the terms of the statement which he has signed under this Act.

Classes and rank of riflemen.

5. There may be all or any of the following classes of riflemen, who shall take rank in the order mentioned, namely:—

[Cf. 1912, s. 5.]

- (i) Subadars-Major,
- (ii) Subadars,
- (iii) Jamadars,
- (iv) Havildars-Major,
- (v) Havildars,
- (vi) Naiks,
- (vii) Buglers and sipahis.

and such grades in each class as the Local Government may, from time to time, direct,

Heinous offences.

6. A rifleman who—

[Cf. 1912, s. 6.]

(a) begins, excites, causes or joins in any mutiny or sedition, or, being present at any mutiny or sedition, does not use his utmost endeavours to suppress it, or, knowing or having reason to believe in the existence, of any mutiny or sedition, does not without delay give information thereof to his Commanding or other superior officer; or

(b) uses, or attempts to use, criminal force to, or commits an assault on, his superior officer, knowing or having reason to believe him to be such, whether on or off duty; or

(c) shamefully abandons or delivers up any garrison, fortress, post or guard which is committed to his charge or which it is his duty to defend; or

The Eastern Frontier Rifles (Bengal Battalion)
Bill, 1919.

(Clause 7.)

- (d) in the presence of an enemy or of any person in arms against whom it is his duty to act, shamefully casts away his arms or his ammunition, or intentionally uses words or any other means to induce any other rifleman to abstain from acting against the enemy, or any such person, or to discourage such officer from acting against the enemy or such person, or who otherwise misbehaves; or
- (e) directly or indirectly holds correspondence with, or communicates intelligence to, or assists, or relieves, any enemy or person in arms against the State, or omits to discover immediately to his Commanding or other superior officer any such correspondence or communications coming to his knowledge; or
- (f) directly or indirectly assists or relieves with money, victuals or ammunition, or knowingly harbours or protects, any enemy or person in arms against the State; or

who, while on active service,—

- (g) disobeys the lawful command of his superior officer; or
- (h) deserts or attempts to desert the service; or
- (i) being a sentry, sleeps at his post, or quits it without being regularly relieved or without leave; or
- (j) without authority leaves his Commanding Officer, or his post or party, to go in search of plunder; or
- (k) quits his guard, picquet, party or patrol without being regularly relieved or without leave; or
- (l) uses criminal force to, or commits an assault on, any person bringing provisions or other necessaries to camp or quarters, or forces a safeguard, or without authority breaks into any house or any other place for plunder, or plunders, destroys or damages any property of any kind; or
- (m) intentionally causes or spreads a false alarm in action, camp, garrison or quarters;

shall be punished with transportation for life, or with imprisonment which may extend to fourteen years to which a fine not exceeding five hundred rupees may be added, or with a fine not exceeding five hundred rupees.

Other offences,
including acts
prejudicial to
good order and
discipline.

7. A rifleman who—

- (a) is in a state of intoxication when on or detailed for any duty, or on parade, or on the line of march; or
- (b) strikes, or forces or attempts to force, any sentry; or

[C. 1912,
s. 7.]

*The Eastern Frontier Rifles (Bengal Battalion)
Bill, 1919.*

(Clause 7.)

- (c) being in command of a guard, picquet or patrol, refuses to receive any prisoner duly committed to his charge, or, whether in such command or not, releases any prisoner without proper authority or negligently suffers any prisoner to escape; or
- (d) being deputed to any guard, picquet or patrol, quits it without being regularly relieved or without leave; or
- (e) being in command of a guard, picquet or patrol, permits gambling or other behaviour prejudicial to good order and discipline; or
- (f) being under arrest or in confinement, leaves his arrest or confinement before he is set at liberty by proper authority; or
- (g) is grossly insubordinate or insolent to his superior officer in the execution of his office; or
- (h) refuses to superintend or assist in the making of any field work or other military work of any description ordered to be made either in quarters or in the field; or
- (i) strikes or otherwise ill-uses any rifleman subordinate to him in rank or position; or
- (j) being in command at any post or on the march and receiving a complaint that any one under his command has beaten or otherwise maltreated or oppressed any person, or has committed any riot or trespass, fails, on proof of the truth of the complaint, to have due reparation made as far as possible to the injured person and to report the case to the proper authority; or
- (k) designedly or through neglect injures or loses or fraudulently or without due authority disposes of his arms, clothes, tools, equipment, ammunition, accoutrements or other necessaries, or any such articles entrusted to him or belonging to any other person; or
- (l) malingers, feigns or produces disease or infirmity in himself, or intentionally delays his cure or aggravates his disease or infirmity; or
- (m) with intent to render himself or any other person unfit for service, voluntarily causes hurt to himself or any other person; or
- (n) commits extortion, or without proper authority exacts from any person carriage, portage or provisions; or
- (o) designedly or through neglect kills, injures, makes away with, ill-treats or loses his horse, or any animal used in the public service; or

The Eastern Frontier Rifles (Bengal Battalion)
Bill, 1919.

(Clauses 8, 9.)

who, while not on active service,—

- (p) disobeys the lawful command of his superior officer; or
- (q) plunders, destroys or damages any property of any kind; or
- (r) being a sentry, sleeps at his post or quits it without being regularly relieved or without leave; or
- (s) deserts or attempts to desert the service; or
- (t) neglects to obey any battalion or other orders, or commits any act or omission prejudicial to good order and discipline, such act or omission not constituting an offence under the Indian Penal Code or any other Act in force in Bengal,

Act XLV of 1860.

shall be punished with imprisonment for a term which may extend to one year, or with a fine not exceeding two hundred rupees, or with both.

Minor offences and punishments.

8. (1) A District Magistrate or a Commandant, or, subject to the control of the Commandant, an Assistant Commandant, and, subject to the same control, an officer not below the rank of a *Jamadar* commanding a separate detachment or an outpost or in temporary command of the battalion at the head-quarters of a district during the absence of the District Magistrate, Commandant and Assistant Commandant, may, without a formal trial, award to any bugler or sipahi who is subject to his authority, any of the following punishments for the commission of any petty offence against discipline, which is not otherwise provided for in this Act, or which is not of a sufficiently serious nature to call for a prosecution before a Criminal Court, that is to say—

[Cf. 1912, s. 8.]

- (a) imprisonment to the extent of seven days in the quarter-guard or such other place as may be considered suitable, with forfeiture of pay and allowances during its continuance;
- (b) punishment drill, extra guard, fatigue or other duty, not exceeding thirty days in duration, with or without confinement to lines;
- (c) forfeiture of pay and allowances for a period not exceeding one month.

(2) Any of these punishments may be awarded separately or in combination with any one or more of the others.

Manner of imprisonment.

9. Any rifleman sentenced under this Act to imprisonment for a period not exceeding three months shall, when he is also dismissed from the police force, be imprisoned in the nearest or such other jail as the Local Government may, by general or special order, direct, but, when he is not also dismissed from that force, he may, if the convicting court or the District Magistrate so directs, be confined in the quarter-guard or such other place as the court or Magistrate may consider suitable.

[Cf. 1912, s. 9.]

The Eastern Frontier Rifles (Bengal Battalion)
Bill, 1919.

(Clauses 10—12.)

Powers of Com-
mandants and
Assistant Com-
mandants for
inquiring into
offences under
this and other
Acts.

10. Notwithstanding anything contained in the ^[Cf. 1912, s. 10.] ^{V of 1861.} Police Act, 1861, or in any other enactment for the time being in force, the Local Government may invest any Commandant or Assistant Commandant with the powers of a Magistrate of any class for the purpose of inquiring into or trying any offence committed by a rifleman and punishable under the Police Act, 1861, or this Act, and any offence committed by a rifleman against the person or property of another rifleman and punishable under any section of the Indian Penal Code or of any other Act in force in Bengal.

Act XLV of
1860.

Privileges of
Commandants
and Assistant
Commandants.

11. A Commandant or Assistant Commandant shall be entitled to all the privileges which a police-officer has under sections 42 and 43 of the Police Act, 1861, section 125 of the Indian Evidence Act, 1872, and under any other enactment for the time being in force; and shall, subject to such rules as the Local Government may from time to time make in this behalf, exercise all the powers of a District Superintendent of Police within the meaning of the Police Act, 1861.

[Cf. 1912,
s. 11.]

V of 1861.
1 of 1872.

Power of Local
Government to
make rules.

12. The Local Government may, as regards the <sup>[Cf. 1912,
s. 12.]</sup> battalion, make such orders and rules, consistent with this Act, as they think expedient, relative to the several matters respecting which the Inspector-General of Police, with the approval of the Local Government, may as regards the police force, frame orders and rules under section 12 of the Police Act, 1861.

V of 1861.

The Eastern Frontier Rifles (Bengal Battalion)
Bill, 1919.

(*The Schedule.*)

THE SCHEDULE.

STATEMENT.

(*See sections 3 and 4.*)

After you have served for three years in the Eastern Frontier Rifles (Bengal Battalion), you may, at any time when not on active service, apply for your discharge, through the officer to whom you may be subordinate, to a Commandant of the battalion, or to the Magistrate of the district in which you may be serving; and you will be granted your discharge after two months from the date of your application, unless your discharge would cause the vacancies in the battalion to exceed one-tenth of the sanctioned strength; in that case you must remain until this objection is waived by competent authority or removed. But when on active service you have no claim to a discharge and you must remain and do your duty until the necessity for retaining you in the battalion ceases, when you may make your application in the manner hereinbefore prescribed. In the event of your re-enlistment after you have been discharged, you will have no claim to reckon for pension or any other purpose your service previous to your discharge.

Signature of officer in
 acknowledgment of
 the above having
 been read to him. }

A. B.

Signed in my presence }
 after I had ascertain- }
 ed that A. B. under- }
 stood the purport of }
 what he signed. }

C. D.

Magistrate, Commandant or Assistant Commandant.

STATEMENT OF OBJECTS AND REASONS.

The object of this Bill is to remove the anomaly at present involved in the application of the Eastern Bengal and Assam Military Police Act, 1912 (E. B. and Assam Act III of 1912), which was intended for the combined Eastern Bengal and Assam Military Police force, to two distinct forces in Bengal and Assam, which have taken the place of that force, since the re-constitution of territories in 1912, and to make the Act applicable to the existing Presidency of Bengal. The Act originally extended to Eastern Bengal and Assam. In 1914 it was extended to Western Bengal by the Bengal Laws Act, 1914 (Ben. Act I of 1914), section 4, Sch. II, and by section 6, Sch. IV, of that Act the Bengal Military Police Act, 1892 (V of 1892) which was previously in force in Western Bengal, was repealed in that area. No changes of substance are proposed by the Bill, but the necessary verbal alterations have been made, and as these are numerous, it has been considered advisable to repeal and re-enact the Act of 1912. The opportunity has been taken to change the designation of the "Bengal Military Police" to the "Eastern Frontier Rifles (Bengal Battalion)". The Administration of Assam has also a similar bill under consideration.

NOTES ON CLAUSES.

Clause 2 repeals the Eastern Bengal and Assam Military Police Act, 1912, which the proposed Act is intended to supersede in Bengal.

Clause 3.—Owing to the change of designation referred to in the Statement of Objects and Reasons, the word "rifleman" has been used in sub-clause (4) of this clause instead of the expression "Military Police Officer", and a similar change has been made throughout the Bill.

Clause 6.—In sub-clause (d) after the word "enemy", in the last two places where it occurs, the words "or any such person" and "or such person", respectively, which appear to have been unintentionally omitted from the existing Act, have been inserted. For a similar reason the words "enemy or" have been inserted before the words "person in arms" in sub-clause (e) of this clause.

H. WHEELER,

Member-in-charge.

J. F. GRAHAM,

*Secy. to the Govt. of Bengal, Legislative Dept.
and Secy. to the Bengal Legislative Council.*



The Calcutta Gazette

WEDNESDAY, DECEMBER 24, 1919.

PART IV.

Bills introduced in the Bengal Legislative Council, Reports of Select Committees presented or to be presented in that Council, and Bills published before introduction in that Council.

GOVERNMENT OF BENGAL.

BENGAL LEGISLATIVE COUNCIL.

NOTIFICATION.

No. 1918L., dated the 18th December, 1919.—The following report of the Select Committee, which was presented to the Bengal Legislative Council on the 18th December, 1919 (with the Bill as amended by the Committee) is hereby published for general information:—

REPORT OF THE SELECT COMMITTEE ON THE CALCUTTA CRUELTY TO ANIMALS BILL, 1919.

We, the undersigned Members of the Select Committee, to which the

Papers No. 1.—(1) Letter, dated the 15th September, 1919, from the Commissioner of Police, Calcutta.

(2) Letter, dated the 25th September, 1919, from the Honorary Secretary, British Indian Association.

(3) Letter, dated the 14th October, 1919, from the Honorary Secretary, Anglo-Indian and Domiciled European Association.

(4) Letter No. 3574, dated the 15th October, 1919, from the Secretary, Bengal Chamber of Commerce.

(5) Letter No. 1699, dated the 14th October, 1919, from the Secretary, European Association, Calcutta Branch.

(6) Letter, dated the 11th October, 1919, from the Secretary, Indian Association.

(7) Letter No. 69, dated the 14th October, 1919, from the President, Marwari Association.

(8) Letter No. 7325, dated the 14th October, 1919, from the Secretary, Society for the Prevention of Cruelty to Animals in Calcutta.

(9) Letter No. S. 3013, dated the 16th October, 1919, from the Chairman of the Corporation of Calcutta, with enclosure.

(10) Letter No. C. M. 16, dated the 17th October, 1919, from the Secretary, Calcutta Trades Association.

Papers No. 2.—Letter No. 398, dated the 27th October, 1919, from the Honorary Secretary, Bengal National Chamber of Commerce.

Papers No. 3.—Letter No. 3197, dated the 31st October, 1919, from the Offg. Chairman, Corporation of Calcutta.

Papers No. 4.—Letter, dated the 17th November, 1919, from the Honorary Secretary, Bengal Landholders' Association.

Papers No. 5.—Letter, dated the 30th November, 1919, from the Secretary, Indian Muslim Association.

Papers No. 6.—Letter, dated the 30th November, 1919, from the Honorary Secretary, Central National Muhammadan Association.

Bill to consolidate and amend the law relating to the prevention of cruelty to animals in Calcutta was referred, have considered the Bill and the papers noted in the margin and have the honour to submit this, our Report, with the Bill, as amended by us, annexed hereto. In reprinting the Bill, all changes made by us have been underlined. The more

important alterations are explained below.

Title.—As the operation of the Act is not necessarily to be restricted to Calcutta, and provision has been made in sub-clause (3) of clause 1 for its extension to other towns and places in Bengal, it was considered more appropriate that it should be called the Bengal Cruelty to Animals Act, following the title of Bengal Act I of 1869.

Clause 3(1).—Many of the opinions received suggested that the words "or bird" should be added after the word "animal". According to a ruling of the Calcutta High Court reported in I. L. R., 24, Calcutta, at page 885, the word "animal" in section 2 of the Prevention of Cruelty to Animals Act (XI of 1890), which corresponds to this clause, ordinarily means "an organised, or living being having sensation and power of voluntary motion, an inferior or irrational being as distinguished from man". As this interpretation will apply to the word "animal" in the new Act, and as the English authorities are also unanimous that the word animal includes bird, it was considered unnecessary to add the word "bird" as suggested. Any change, too, might conceivably throw doubt upon the meaning of the term "animal" in other Acts.

Clauses 3(2) and 4.—Clause 4 is not required, as power to extend the operation of the Act is conferred by sub-clause (3) of clause 1, and the need of excluding any area is not likely to arise.

Clause 5.—The words "if any" have been substituted for the word "every" in this clause, and also throughout the Bill where the latter expression occurs.

The word "overcrowding" has been inserted in sub-clause (c) so as to bring cases of cruelty of this description specifically within the scope of this clause.

Clause 6.—This clause has been redrafted so as to give effect to the suggestion that the owner, trader, carrier, contractor, etc., should in no case be made liable to imprisonment, and that they should be liable to a penalty of fine in those cases only where they fail to exercise reasonable care and supervision in respect of the protection of the animal from overloading.

Clause 7.—The penalty in this clause has been enhanced to a fine of two hundred rupees, or six months' imprisonment, *i.e.*, doubled, as there is considerable opinion that the former lower scale of punishment is inadequate. The words "or other milch animal" have been inserted after the word "cow" in both places where the latter word occurs as it is understood that *phuka* is sometimes practised on buffaloes and possibly on other milch cattle.

Clause 11.—We have revised this clause on the same lines as clause 6, so as to make the owner, trader, carrier or contractor liable for punishment only in the event of failure to exercise reasonable care and supervision in respect of the protection of the animal from being employed when unfit.

Clause 12.—The word "animal" has been substituted in sub-clause (a) of this clause in place of the words "quadrupeds or birds, whether domestic or wild", as in effect it is considered that this will cover all cases in which the offence is likely to be committed; in other words a "wild" animal could scarcely be the subject of the offence.

Clause 13.—The word "allows" has been substituted for the word "permits" in both places where the latter word occurs.

The words "or of which he is in charge" have been inserted after the word "owner" in both places where the latter word occurs in order to extend the scope of the clause. The words "go at large or" have been inserted before the word "die" in order to put a stop to the practice of turning out an aged or disabled animal to wander.

Clause 20.—In this clause "forty-eight hours" has been substituted for "twenty-four hours" in order to meet the objection that 24 hours is insufficient time for the removal of the load.

In order that provision may be made in the rules framed under clause 30 for a written notice to be given to the person in charge of the animal or animals for the removal of the load seized under clause 17 or clause 19, a new sub-clause has been inserted in clause 30 as follows:—

"(cc) prescribing the procedure to be followed after removal of a load under section 18, sub-section (2), or under section 19."

Clause 22.—We have omitted the words "if any" in sub-clause (1) of this clause as the presence of a Veterinary Inspector is a necessary condition of the action to be taken.

Clause 23.—It is considered advisable that the owner of an animal should be informed when it is sent by a Veterinary Inspector to an infirmary for treatment.

Clause 25.—The last part of sub-clause (1) of this clause has been redrafted so as to make the criterion for purposes of fitness not the work or labour on which the animal has ordinarily been employed, but that on which the owner states that it is his intention to employ it.

We have revised sub-clause (2) so as to make the Local Government the authority for prescribing the scale of rates.

We have added a new sub-clause (6) in order to give power to the officer-in-charge of the infirmary to dispose of an animal for which no purchaser can be found. A new sub-clause has also been included in clause 30 in order that rules may be prescribed regulating the procedure to be adopted with regard to the disposal of such animals.

Clause 26.—In sub-clause (1) after the words "the Commissioner of Police" we have inserted the words "or a Deputy Commissioner of Police".

As a consequential alteration line 4 of this sub-clause now reads "Magistrate or Commissioner of Police or Deputy Commissioner of Police". In sub-clauses (1) and (2) we have substituted the words "its physical condition is" for "its sufferings are".

We have added a proviso to sub-clause (2) with the object of securing that no order for destruction shall be made in the case of any bull, bullock or cow which is unfit for work merely by reason of old age.

We have omitted as unnecessary the words "in such manner as to inflict as little pain and suffering as practicable" at the end of sub-clause (3).

Clause 29.—We have provided in sub-clause (1) for the issue of search-warrants by Deputy Commissioners of Police. We have also included Presidency Magistrates in view of the fact that the Act is to apply to Calcutta.

Clause 30.—We have added a new sub-clause in order to give power to frame rules for the purpose of preventing the overcrowding of animals.

Clause 31.—The scope of this clause has been extended so as to include clauses 17, 19, 22 and 25(2).

We recommend that the Bill, as now amended by us, be passed.

H. WHEELER, *Member in charge.*

C. J. STEVENSON-MOORE.

G. N. ROY.

C. F. PAYNE.

RADHA CHARAN PAL.

W. H. PHELPS.

A. K. FAZL-UL-HAQ.

SURENDRA NATH RAY.

J. F. GRAHAM,

*Secretary to the Govt. of Bengal and
Secretary to the Bengal Legislative Council.*

CALCUTTA :

The 11th December, 1919.

**THE BENGAL CRUELTY TO ANIMALS
BILL, 1919.**

CONTENTS.

Preliminary.

CLAUSE.

1. Short title, commencement and extent.
2. Repeal.
3. Definitions.
4. [*Omitted.*]

Offences.

5. Penalty for cruelty to animals and for sale of animals killed with unnecessary cruelty.
6. Penalty for overloading animals.
7. Penalty for practising *phuka*.
8. Penalty for killing animals with unnecessary cruelty.
9. Penalty for being in possession of the skin of a goat killed with unnecessary cruelty.
10. Presumptions as to possession of the skin of a goat.
11. Penalty for employing animals unfit for labour.
12. Penalty for baiting animals, or inciting them to fight.
13. Penalty for allowing diseased animals to go at large or to die in public places.

Weighbridges and Infirmaries.

14. Weighbridges.
15. Infirmaries.
16. Power of Local Government to appoint Veterinary Inspectors and weighbridge-officers.
17. Animal, etc., to be taken to weighbridge in case of overloading.
18. Excess load to be removed in cases of overloading.
19. Unfit animal to be taken to Veterinary Inspector.
20. Excess load to be treated as unclaimed property in certain circumstances.
21. Disposal of sale-proceeds.
22. Production of animal for examination by Veterinary Inspector.
23. Examination of animals by Veterinary Inspector.
24. Power of Magistrate to send animal to infirmary.
25. Detention and cost of treatment of animals at infirmaries.
26. Destruction of suffering or unfit animals.

Procedure.

CLAUSE.

27. Arrest of offenders.
28. Special power of search and seizure in respect of certain offences.
29. Search warrants.

Rules.

30. Power of Local Government to make rules.

Miscellaneous.

31. Delegation of powers.
32. Appointments made by local authority.
33. Limitation of time for prosecutions.
34. Persons appointed under section 16, 17, 19 or 22 to be public servants.
35. Indemnity.
36. Power of local authority to pay certain expenses.
37. Effect when Act is extended outside Calcutta.

THE BENGAL CRUELTY TO ANIMALS BILL, 1919;

(as amended by the Select Committee.)

[NOTE.—The changes made in the Bill by the Select Committee have, so far as possible, been underlined.

J. F. GRAHAM,

*Secy. to the Govt. of Bengal and
Secy. to the Bengal Legislative Council.]*

A

BILL

*to consolidate and amend the law relating to the
prevention of cruelty to animals in Bengal.*

WHEREAS it is expedient to consolidate and amend
the law relating to the prevention of cruelty to
animals in Bengal :

It is hereby enacted as follows :—

Preliminary.

Short title, com-
mencement
and
extent.

1. (1) This Act may be called the Bengal Cruelty to Animals Act, 1919.

[Cf. Ben. Act I of 1869, s. 1; Ben. Act V of 1911, ss. 1 (3) and 148.]

(2) It shall come into force on such date as the Local Government may, by notification, direct.

(3) Except as otherwise hereinafter provided, this Act shall extend only to Calcutta; but it may be extended by the Local Government, by notification, to any other town or place.

Repeal.

2. (1) The following enactments, namely :—

[Cf. Ben. Act II of 1891, s. 2.]

(a) the Bengal Cruelty to Animals Act, 1869;

Ben. Act I of 1869.

(b) the Bengal Cruelty to Animals (Arrest) Act, 1869; and

Ben. Act III of 1869.

(c) the Bengal Cruelty to Animals Act, 1900,

Ben. Act III of 1900.

shall be deemed to be repealed—

(i) in Calcutta, from the date of the commencement of this Act, and

(ii) in any other town or place to which this Act may hereafter be extended under section 1, sub-section (3), from the date of such extension.

(2) Such repeal shall not affect the validity of anything done or suffered, or of any obligation or liability which may have accrued, under any of the said Acts; and all penalties incurred and other things duly done under any of the said Acts shall, so far as they are consistent with this Act, be deemed to have been respectively incurred or done hereunder.

(3) All proceedings pending under any of the said Acts, in Calcutta or in any other town or place, at the date when this Act comes into operation therein, shall be deemed to have been commenced under this Act.

*The Bengal Cruelty to Animals Bill, 1919.**(Preliminary.—Offences.—Clauses 3-6.)*

Definitions.

3. In this Act, unless there is anything repugnant in the subject or context,—

[Cf. Ben. Act II of 1891, s. 3.]

(1) "animal" means any domestic or captured animal;

(2) "Calcutta" means the area described in Schedule I to the Calcutta Municipal Act, 1899;

Ben. Act III of 1899.

(3) "the Corporation" means the Corporation of Calcutta; and

(4) "notification" means a notification published in the *Calcutta Gazette*.

4. [Omitted.]

Offences.

Penalty for cruelty to animals and for sale of animals killed with unnecessary cruelty.

5. If any person—

[Cf. Act XI of 1890, s. 3 Ben. Act I of 1869, s. 2.]

(a) overdrives, cruelly or unnecessarily beats, or otherwise ill-treats any animal, or

(b) binds, keeps or carries any animal in such a manner or position as to subject the animal to unnecessary pain or suffering, or

(c) offers, exposes or has in his possession for sale any live animal which is suffering pain by reason of mutilation, starvation, thirst, overcrowding or other ill-treatment, or any dead animal which he has reason to believe to have been killed in an unnecessarily cruel manner,

he shall be punished for every such offence with fine which may extend to one hundred rupees, or with imprisonment for a term which may extend to three months, or with both.

Penalty for overloading animals.

6. If any person overloads any animal he shall be punished with fine which may extend to one hundred rupees, or with imprisonment for a term which may extend to three months, or with both, and

[Cf. Act XI of 1890, s. 3 (a); Ben. Act I of 1869, s. 2.]

(1) if the owner of that animal, and

(2) if any person who, as a trader, carrier or contractor, or who, in virtue of his employment by a trader, carrier or contractor, is in possession of that animal or in control over the loading of it,

permits such overloading, he shall be punished with fine which may extend to one hundred rupees.

Explanation.—For the purposes of this section an owner or other person referred to in clauses (1) and (2) above shall be deemed to have permitted overloading if he shall have failed to exercise reasonable care and supervision in respect of the protection of the animal therefrom.

[Cf. 1 & 2 Geo. 5, c. 27, s. 1(2).]

The Bengal Cruelty to Animals Bill, 1919.

(Offences.—Clauses 7-11.)

Penalty for practising *phuka*.

7. If any person performs upon any cow or other milch animal the operation called *phuka* he shall be punished with fine which may extend to two hundred rupees, or with imprisonment for a term which may extend to six months, or with both, and the owner of the cow or other milch animal and any person in possession of or control over it shall be liable to the same punishment.

[Cf. Act XI of 1890, s. 4; Ben. Act I of 1869, s. 5A.]

Penalty for killing animals with unnecessary cruelty.

8. If any person kills any animal in an unnecessarily cruel manner he shall be punished with fine which may extend to two hundred rupees, or with imprisonment for a term which may extend to six months, or with both:

[Cf. Act XI of 1890, s. 5.]

Provided that nothing in this section shall render it an offence to kill any animal in a manner required by the religion or religious rites and usages of any race, sect, tribe or class.

[Cf. Act XI of 1890, s. 11.]

Penalty for being in possession of the skin of a goat killed with unnecessary cruelty.

9. If any person has in his possession the skin of a goat, and has reason to believe that the goat has been killed in an unnecessarily cruel manner, he shall be punished with fine which may extend to one hundred rupees, or with imprisonment which may extend to three months, or with both, and the skin shall be confiscated.

[Cf. Act XI of 1890, s. 5A.]

Presumptions as to possession of the skin of a goat.

10. (1) If any person is charged with the offence of killing a goat contrary to the provisions of section 8, and it is proved that such person had in his possession, after the offence was alleged to have been committed, the skin of a goat with any part of the skin of the head attached thereto, it shall be presumed, until the contrary be proved, that such goat was killed in an unnecessarily cruel manner.

[Cf. Act XI of 1890, s. 5B.]

(2) If any person is charged with an offence against section 9, and it is proved that such person had in his possession, at the time of the alleged offence, the skin of a goat with any part of the skin of the head attached thereto, it shall be presumed, until the contrary be proved, that such goat was killed in an unnecessarily cruel manner, and that the person in possession of such skin had reason so to believe.

Penalty for employing animals unfit for labour.

11. If any person employs in any work or labour any animal which by reason of any disease, infirmity, wound, sore or other cause is unfit to be so employed, he shall be punished with fine which may extend to one hundred rupees, and

[Cf. Act XI of 1890, s. 6 (1); Ben. Act I of 1869, s. 5.]

(1) if the owner of that animal, and

(2) if any person who, as a trader, carrier or contractor, or who, in virtue of his employment by a trader, carrier or contractor, is in possession of that animal or in control over the employment of it,

permits such employment, he shall be liable to the same punishment.

*The Bengal Cruelty to Animals Bill, 1919.**(Offences.—Weighbridges and Infirmaries.—Clauses 12-17.)*

Explanation.—For the purposes of this section an owner or other person referred to in clauses (1) and (2) above shall be deemed to have permitted such employment if he shall have failed to exercise reasonable care and supervision in respect of the protection of the animal therefrom.

[Cf. 1 & 2
Geo. 5, c. 27,
s. 1 (2).]

Penalty for baiting animals, or inciting them to fight.

12. If any person—

- (a) incites any animal to fight, or
(b) baits any animal, or

(c) aids or abets any one in such incitement or baiting,

he shall be punished with fine which may extend to fifty rupees.

[Cf. Ben.
Act I of 1869,
s. 3.]

Penalty for allowing diseased animals to go at large or to die in public places.

13. If any person wilfully allows any animal of which he is the owner or of which he is in charge to go at large in any public place while the animal is affected with contagious or infectious disease, or without reasonable excuse, allows any diseased or disabled animal of which he is the owner or of which he is in charge to go at large or die in any public place, he shall be punished with fine which may extend to one hundred rupees.

[Cf. Act XI
of 1890, s. 7;
Ben. Act I of
1869, s. 4.]

Weighbridges and Infirmaries.

Weighbridges.

14. (1) The Local Government may appoint the places at which weighbridges shall be established for the detection of cases of overloading of animals, and may also declare, by notification, the limits of the areas for which such weighbridges are established.

(2) The Local Government may erect weighbridges at the places so appointed, and may acquire, by purchase or otherwise, existing weighbridges erected by any person and maintain them for the purposes of sub-section (1).

Infirmaries.

15. The Local Government may, by general or special order, appoint places to be infirmaries for the treatment and care of animals in respect of which offences against this Act are believed to have been committed.

[Act XI of
1890, s. 6 (1);
Ben. Act I of
1869, s. 5B
(1).]

Power of Local Government to appoint Veterinary Inspectors and weighbridge-officers.

16. The Local Government may appoint such persons as they think fit,—

(a) to be Veterinary Inspectors for carrying into effect the provisions of this Act, and may declare the areas within which such officers shall exercise their powers under this Act and the areas of which they shall be in charge;

(b) to be weighbridge-officers, to have charge of any weighbridge or weighbridges established under section 14.

Animal, etc., to be taken to weighbridge in case of overloading.

17. Within the limits of any area for which a weighbridge has been established under section 14, any police-officer, or any other person duly authorized by the Local Government in this behalf, who has reason to believe that an offence against section 6 is being committed in respect of any animal, shall

*The Bengal Cruelty to Animals Bill, 1919.**(Weighbridges and Infirmaries.—Clauses 18-20.)*

seize and take it, together with its load and the person in charge of the animal, to such weighbridge, and shall cause the load to be weighed on the weighbridge in the presence of such person.

Excess load to be removed in cases of overloading.

18. (1) If the weighbridge-officer is not satisfied that an offence against section 6 has been committed, he shall inform the police-officer or person who seized the animal accordingly, and that officer or person shall forthwith release the animal and load.

(2) If the weighbridge-officer is satisfied that an offence against section 6 has been committed, he shall cause the excess load to be removed.

Unfit animal to be taken to Veterinary Inspector.

19. Any police-officer, or any other person duly authorized by the Local Government in this behalf, who has reason to believe that an offence against section 11 is being committed in respect of any animal, shall seize and take it, together with its load, if any, and the person in charge of the animal, to the weighbridge, if any, appointed for the area, within which such seizure is made, or, in the case of there being no weighbridge appointed for the area, to the nearest police-station, and shall remove the load forthwith and report the fact of such seizure to the Veterinary Inspector in charge of that area.

Excess load to be treated as unclaimed property in certain circumstances.

20. (1) Any excess load removed from an animal under section 18, sub-section (2), and any load which was being carried by an animal seized under section 19, and taken to the weighbridge, shall be kept by the weighbridge-officer, at the risk of the owner of such load, at the weighbridge, or at any other place appointed by the Local Government for this purpose, and, if not removed by the owner within forty-eight hours, it shall be made over by the weighbridge-officer to the police and removed to the nearest police-station.

(1a) Any load which was being carried by an animal seized under section 19 and taken to a police-station, shall be kept by the officer in charge of the police-station, at the police-station, or at any other place appointed by the Local Government for this purpose. The said load shall be kept during the first forty-eight hours of such detention at the risk of the owner thereof, and he may remove the same during that period.

(2) The officer in charge of the police-station shall—

(a) in the case of any load removed to the police-station under sub-section (1), and

(b) in the case of any load referred to in sub-section (1a), if not removed by the owner within forty-eight hours,

enter, in a register to be kept for the purpose, such particulars of the load as may be prescribed by rules made under section 30, and the load shall thereafter be returned to the person who proves to the satisfaction of the Commissioner of Police that the same belongs to him, on payment of all costs incurred in the removal and detention of such load:

Provided that if the load, or any part thereof, consists of articles which are subject to speedy and natural decay, or consists of livestock, that load, or part

[Cf. Ben. Act II of 1891, s. 59.]

*The Bengal Cruelty to Animals Bill, 1919.**(Weighbridges and Infirmaries.—Clauses 21-25.)*

thereof, may forthwith be sold or otherwise disposed of under the orders of the Commissioner of Police in accordance with rules made under section 30; and the sale-proceeds, after deducting therefrom all expenses incurred in the removal, detention and sale of the entire load, shall be made over to the owner, on proof of his ownership, within six months from the date of entry in the register.

Disposal of sale-proceeds.

21. If within six months from the date of entry in the register no person satisfies the Commissioner of Police that he is the owner of the load, the Commissioner may cause it to be sold or otherwise disposed of in accordance with rules made under section 30, and the proceeds of the sale under this section, or of the sale under the proviso to sub-section (2) of section 20, after deducting therefrom all expenses, shall be applied in such manner as the Local Government may prescribe by rules made under section 30.

[Cf. Ben. Act II of 1891, s. 59 (4).]

Production of animal for examination by Veterinary Inspector.

22. (1) Any police-officer, or any other person duly authorized by the Local Government in this behalf, who has reason to believe that an offence against this Act has been or is being committed in respect of any animal, may, if the circumstances so require, seize the animal and produce the same for examination by the Veterinary Inspector in charge of the area in which the animal is seized.

(2) The police-officer or person who seizes any animal under sub-section (1) may require the person in charge of the animal to accompany it to the place of examination.

Examination of animals by Veterinary Inspector.

23. (1) For the purposes of the examination of an animal sent to a Veterinary Inspector in accordance with the provisions of section 22, he may submit the animal to any test which the Local Government may prescribe by rules made under section 30.

(2) If, on such examination, the Veterinary Inspector is of opinion that the animal is unfit to be employed on the work or labour on which it was employed at the time of its seizure, he shall either send the animal for treatment and care to an infirmary appointed under section 15, and inform the owner of the animal of his having done so, or (if he considers that a prosecution is necessary, or if the owner of the animal so elects) direct the prosecution of the offender and produce the animal before the Magistrate.

Power of Magistrate to send animal to infirmary.

24. The Magistrate before whom a prosecution for any offence under this Act has been instituted may, if he thinks fit, direct that the animal, in respect of which the offence is alleged or proved to have been committed, shall be sent for treatment and care to an infirmary appointed under section 15.

[Cf. Act XI of 1890, s. 6 (3).]

Detention and cost of treatment of animals at infirmaries.

25. (1) When any animal has been sent to an infirmary in accordance with the provisions of section 23, sub-section (2), or of section 24, it shall be detained there until, in the opinion of the officer in charge of the infirmary, it is cured, or again fit for the work or labour on which it is the intention of the owner to employ it.

[Cf. Act XI of 1890, s. 6 (3), (4), (5) and (6).]

*The Bengal Cruelty to Animals Bill, 1919.**(Weighbridges and Infirmarys.—Clause 26.)*

(2) The cost of the treatment, feeding and watering of the animal in the infirmary shall be payable by the owner of the animal, according to such scale of rates as the Local Government may prescribe.

(3) If the owner refuses or neglects to pay such cost, or to remove the animal within such time as the officer in charge of the infirmary may prescribe, that officer may direct that the animal be sold and the proceeds of the sale be applied to the payment of such cost.

(4) The surplus, if any, of the proceeds of the sale, shall, on application to be made by the owner within two months after the date of the sale, be paid to him; but the owner shall not be liable to make any payment in excess of the proceeds of the sale.

(5) If no application is made by the owner for the surplus sale-proceeds within the period prescribed under sub-section (4), these proceeds shall be applied in such manner as the Local Government may prescribe by rules made under section 30.

(6) If an animal cannot be sold under sub-section (3) the officer in charge of the infirmary may dispose of it in such manner as the Local Government may prescribe by rules made under section 30.

Destruction
suffering or unfit
animals.

26. (1) When any Magistrate, the Commissioner of Police, or any Deputy Commissioner of Police has reason to believe that an offence against this Act has been committed in respect of any animal, the Magistrate, Commissioner of Police or Deputy Commissioner of Police may direct the immediate destruction of the animal, if, in his opinion, its physical condition is such as to render such a direction proper.

[Cf. Act XI
of 1890, s. 10.]

(2) When any animal is sent to an infirmary in accordance with the provisions of section 23, sub-section (2), or of section 24, the officer in charge of the infirmary may direct the immediate destruction of the animal, if, in his opinion, its physical condition is such as to render such direction proper, or if he considers it to be permanently unfit for work by reason of old age or some incurable disease:

Provided that no order directing destruction shall be made in respect of any bull, bullock or cow which is unfit for work by reason only of old age.

(3) Any police-officer who finds any animal so diseased, or so severely injured, or in such a physical condition, that it cannot without cruelty be removed shall, if the owner is absent or refuses to consent to the destruction of the animal, at once summon the Veterinary Inspector in charge of the area in which the animal is found and, if the Veterinary Inspector certifies that the animal is mortally injured, or so severely injured, or so diseased, or in such a physical condition, that it is cruel to keep it alive, the police-officer may, without the consent of the owner, kill the animal or cause it to be killed.

[Cf. 7 Edw.
7, c. 5, s. 1.]

*The Bengal Cruelty to Animals Bill, 1919.**(Procedure.—Rules.—Clauses 27-30.)**Procedure.*

Arrest of offenders.

27. (1) Any police-officer may arrest without a warrant any person committing in his view any offence against this Act, or any person against whom he has received credible information of having committed an offence against this Act, if the name and address of the accused person is unknown to the officer, and if such person, on demand, declines to give his name and address or gives a name and address which such officer has reason to believe to be false.

[Cf. Ben. Act III of 1869, s. 1; Act V of 1898, s. 57.]

(2) When the true name and address of a person arrested under sub-section (1) have been ascertained, he shall be released on his executing a bond, with or without sureties, to appear before a Magistrate if so required:

Provided that if such person is not resident in British India, the bond shall be secured by a surety or sureties resident in British India.

(3) If the true name and address of such person is not ascertained within twenty-four hours from the time of arrest, or if he fails to execute the bond, or if so required, to furnish sufficient sureties, he shall forthwith be forwarded to the nearest Magistrate having jurisdiction.

Special power of search and seizure in respect of certain offences.

28. If a police-officer, not below the rank of Sub-Inspector, has reason to believe that an offence against section 8 in respect of a goat is being or is about to be, or has been, committed in any place, or that any person has in his possession the skin of a goat with any part of the skin of the head attached thereto, he may enter and search such place or any place in which he has reason to believe any such skin to be, and may seize any such skin and any article or thing used or intended to be used in the commission of such offence.

[Cf. Act XI of 1890, s. 7A.]

Search warrants.

29. (1) If a Presidency Magistrate, a Magistrate of the first class, the Commissioner of Police, or a Deputy Commissioner of Police, upon information in writing and after such inquiry as he thinks necessary, has reason to believe that an offence against section 7, section 8 or section 11 is being or is about to be, or has been, committed in any place, he may, at any time by day or by night, without notice, either himself enter and search, or, by his warrant, authorize any police-officer above the rank of a constable to enter and search, the place.

[Cf. Act XI of 1890, s. 8; Ben. Act III of 1899, s. 501.]

(2) The provisions of the Code of Criminal Procedure, 1898, relating to searches under that Code shall, so far as those provisions can be made applicable, apply to a search made under sub-section (1) or under section 28.

Act V of 1898.

Rules.

Power of Local Government to make rules.

30. (1) The Local Government may, from time to time, make rules to carry out the purposes of this Act.

*The Bengal Cruelty to Animals Bill, 1919.**(Miscellaneous.—Clauses 31-35.)*

(2) In particular, and without prejudice to the generality of the foregoing power, the Local Government may make rules—

- (a) prescribing the maximum weight of the loads to be carried on or drawn by animals;
- (aa) for preventing the overcrowding of animals;
- (b) for regulating the use of tests and the manner of examination of animals;
- (c) prescribing the qualifications of persons to be appointed to be Veterinary Inspectors and weighbridge-officers;
- (cc) prescribing the procedure to be followed after removal of a load under section 18, sub-section (2), or under section 19;
- (d) prescribing the particulars to be entered in the register maintained under section 20, sub-section (2);
- (e) prescribing such other forms or registers as may be required for carrying out the purposes of this Act;
- (f) for carrying out the provisions of the proviso to sub-section (2) of section 20 and of section 21 in regard to the disposal of loads;
- (g) prescribing the manner in which fines realized under this Act and sale-proceeds realized under section 21 and section 25, sub-section (5), shall be applied;
- (gg) for carrying out the provisions of section 25, sub-section (6), in regard to the disposal of animals; and
- (h) for regulating the destruction of animals under section 26.

Miscellaneous.

Delegation of powers.

31. The Local Government may delegate, under such restrictions as they consider fit, any of the powers conferred upon them by sections 14, 15, 16, 17, 19, 20, 22 and 25, sub-section (2), of this Act to any person or local authority.

[Ct. Ben. Act I of 1885, s. 36.]

Appointments made by local authority.

32. Every appointment made by a local authority under section 16, in exercise of the power delegated to it under section 31, shall be deemed to be an appointment made under the Act by which such local authority is constituted.

Limitation of time for prosecutions.

33. A prosecution for an offence against this Act shall not be instituted after the expiration of three months from the date of the commission of such offence.

[Act XI of 1890, s. 9; Ben. Act I of 1869, s. 5C.]

Persons appointed under section 16, 17, 19 or 22 to be public servants.

34. Every person appointed under section 16, 17, 19 or 22 shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code.

Act XLV of 1860.

Indemnity.

35. No suit, prosecution or other legal proceeding shall lie against any person who is, or who has been declared to be, a public servant within the meaning

*The Bengal Cruelty to Animals Bill, 1919.**(Miscellaneous.—Clauses 36, 37.)*

of section 21 of the Indian Penal Code for anything which is, in good faith, done or intended to be done under this Act.

Power of local
authority to pay
certain expenses.

36. Notwithstanding anything contained in the Calcutta Municipal Act, 1899, the Bengal Municipal Act, 1884, or the Bengal Local Self-Government Act of 1885, the Corporation, the Commissioners of a Municipality or the District Board may provide from the funds at their disposal such sums as may be necessary for paying the expenses incidental to the exercise of any of the powers delegated to them under section 31.

Ben. Act III
of 1899.
Ben. Act III
of 1884.
Ben. Act III
of 1885.

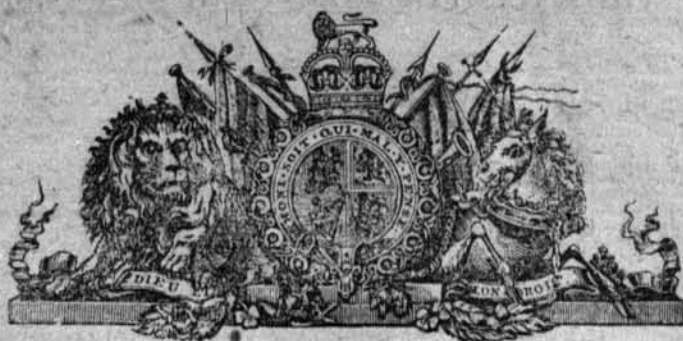
Effect when Act is
extended outside Cal-
cutta.

37. Whenever this Act is extended to any town or place outside Calcutta, under section 1, sub-section (3), the Local Government may, by notification, appoint persons, either by name or by official designation, to exercise and perform in such town or place the same powers and duties as are conferred or imposed by this Act on the Commissioner of Police.

[*Cf.* Ben.
Act II of 1891,
s. 61.]

J. F. GRAHAM,

*Secy. to the Govt. of Bengal and
Secy. to the Bengal Legislative Council.*



The Calcutta Gazette

WEDNESDAY, JULY 30, 1919.

PART IVA.

Proceedings of the Bengal Legislative Council.

GOVERNMENT OF BENGAL.

LEGISLATIVE DEPARTMENT.

Abstract of the Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act, 1915.

THE Council met in the Council Chamber at Government House, Calcutta, on Thursday, the 3rd July, 1919, at 11 A.M.

Present :

HIS EXCELLENCY THE RIGHT HON'BLE LAWRENCE JOHN LUMLEY DUNDAS,
EARL OF RONALDSHAY, G.C.I.E., *Governor of the Presidency of
Fort William in Bengal, presiding.*

The Hon'ble SIR HENRY WHEELER, K.C.I.E., C.S.I.

The Hon'ble MR. J. G. CUMMING, C.S.I., C.I.E.

The Hon'ble SIR BIJAY CHAND MAHTAB, K.C.S.I., K.C.I.E., I.O.M., MAHA-
RAJADHIRAJA BAHADUR OF BURDWAN.

The Hon'ble MR. J. H. KERR, C.S.I., C.I.E.

The Hon'ble MR. F. C. FRENCH, C.S.I.

The Hon'ble MR. J. LANG.

The Hon'ble MR. J. F. GRAHAM.

The Hon'ble MR. C. F. PAYNE.

The Hon'ble MR. M. C. McALPIN.

- The Hon'ble Mr. S. W. Goode.
- The Hon'ble Mr. F. A. A. Cowley.
- The Hon'ble Colonel J. K. Close, M.D., I.M.S.
- The Hon'ble Mr. T. O. D. Dunn.
- The Hon'ble Mr. J. Donald, C.I.E.
- The Hon'ble Khan Bahadur Maulvi Aminul Islam.
- The Hon'ble Sir Rajendra Nath Mookerjee, K.C.I.E.
- The Hon'ble Sir Nilratan Sarkar, Kt.
- The Hon'ble Mr. R. V. Mansell, O.B.E.
- The Hon'ble Mr. Aminur Rahman.
- The Hon'ble Raja Hrishikesh Laha, C.I.E.
- The Hon'ble Babu Siv Narayan Mukharji.
- The Hon'ble Kumar Shib Shekhareswar Ray.
- The Hon'ble Babu Brojendra Kishor Ray Chaudhuri.
- The Hon'ble Mr. Arun Chandra Singha.
- The Hon'ble Sir Deba Prasad Sarbadhikari, Kt., C.I.E.
- The Hon'ble Rai Debender Chunder Ghose Bahadur.
- The Hon'ble Rai Radha Charan Pal Bahadur.
- The Hon'ble Sir Frank Carter Kt., C.I.E., C.B.E.
- The Hon'ble Mr. W. H. Phelps.
- The Hon'ble Mr. G. A. Bayley.
- The Hon'ble Mr. H. R. A. Irwin, C.I.E.
- The Hon'ble Dr. Abdulla-al-Mamun Suhrawardy.
- The Hon'ble Maulvi Abul Kasem.
- The Hon'ble Mr. M. Ashraf Ali Khan Chaudhuri.
- The Hon'ble Maulvi A. K. Fazl-ul-Haq.
- The Hon'ble Khan Sahib Aman Ali.
- The Hon'ble Babu Bhabendra Chandra Ray.
- The Hon'ble Mr. Altaf Ali.
- The Hon'ble Rai Sri Nath Ray Bahadur.
- The Hon'ble Rai Mahendra Chandra Mitra Bahadur.
- The Hon'ble Babu Surendra Nath Ray.
- The Hon'ble Babu Mahendra Nath Ray, C.I.E.
- The Hon'ble Babu Kishori Mohan Chaudhuri.

*Questions and Answers.***QUESTIONS AND ANSWERS.****LIST OF BUSINESS—ITEM No. 1.****OATH OF ALLEGIANCE.**

The Hon'ble Mr. Lang, the Hon'ble Mr. Graham, the Hon'ble Mr. Goode and the Hon'ble Mr. Dunn made an oath of their allegiance to the Crown.

The following questions which had been starred were put and answered :—

STARRED QUESTIONS.

By the Hon'ble Rai Radha Charan Pal Bahadur:—

***I.**

(a) Will the Government be pleased to state what officer is in charge of the drinking water reserve tank in Diamond Harbour known as *Talpukur*? Drinking water reserve tank in Diamond Harbour.

(b) Has any notice been taken of the deterioration of the tank and its embankment?

(c) Are the Government aware that it is full of weeds and rank vegetation?

(d) Is it the only reserve tank to supply good drinking water in the Hajipur area?

(e) Will the Government be pleased to state whether they are taking any steps to preserve the tank in good condition and to improve it?

Answer by the Hon'ble Mr. Goode:—

“(a) The Sub-divisional Officer of Diamond Harbour.

(b) and (c) It is reported that the tank has not deteriorated. There are some red lotuses in the middle of the tank and a fringe of weeds round it. The vegetation will be cleared as usual after the rains, when the annual repairs to the embankments will also be carried out.

(d) Yes.

(e) All necessary steps to keep the tank in good condition are taken every year.”

By the Hon'ble Rai Radha Charan Pal Bahadur:—

***II.**

(a) Are the Government aware that the Diamond Harbour creek beyond the cross dam has silted up, and that the area has become marshy and wild vegetation is growing on the silted up channel rendering the place unhealthy? Silted up of the Diamond Harbour creek.

(b) Is there any proposal to reclaim the area?

(c) If so, are the Government considering the desirability of taking steps for such reclamation before the rains set in?

(d) Are the Government aware that the only communication between Hajipur and Diamond Harbour is a circuitous road over the cross dam?

(e) Are the Government considering the desirability of making an easy and direct road between the two banks of the creek connecting Hajipur with Diamond Harbour?

*Questions and Answers.***Answer by the Hon'ble Mr. Goode:—**

"(a) Yes.

(b) and (c) The ground within the creek is not yet fit for reclamation as tidal water still overflows it. A town planning scheme for Diamond Harbour is however under contemplation and the ground will be reclaimed when this scheme is carried out.

(d) Yes.

(e) A cross dam near the river bank is part of the town improvement scheme."

By the Hon'ble Rai Radha Charan Pal Bahadur:—***III.**

Insufficiency
of reserve
tanks at Hajipur.

(a) Are the Government aware of the opinion expressed that one reserve tank at Hajipur is not sufficient for that extensive and populous area?

(b) Are the Government also aware that there is a large boat traffic in Diamond Harbour and that another reserve tank is greatly needed in Hajipur?

(c) Are the Government considering the desirability of providing such a tank in the silted up area caused by the old Diamond Harbour creek on the south side of the cross dam?

Answer by the Hon'ble Mr. Goode:—

"(a) The reply is in the negative.

(b) Government are aware that there is a large boat traffic in Diamond Harbour.

(c) This matter will be considered in connection with the improvement scheme referred to in the reply to question No. *II."

By the Hon'ble Rai Radha Charan Pal Bahadur:—***IV.**

New sub-division
at Vishnupur
in the
24-Parganas.

Will the Government be pleased to state when the creation of a new sub-division at Vishnupur in the district of the 24-Parganas will be taken in hand, and when the Munsif at Baruipur is to be removed to Alipur as foreshadowed in the Government memorandum No. 3721 P., dated the 12th April, 1918?

Answer by the Hon'ble Mr. Kerr:—

"The formation of new sub-divisions in the 24-Parganas and other districts has been kept in abeyance for financial reasons and it is not possible at present to say when they will be carried out."

By the Hon'ble Rai Radha Charan Pal Bahadur:—***V.**

Alleged
grievances of
the public
travelling on
the southern
section of the
Eastern Bengal
Railway.

(a) Are the Government aware that in the southern section of the Eastern Bengal Railway first and second class passengers are not provided in the trains with a lavatory, and that there is no drinking water available at the stations in the hot weather?

(b) Are the Government also aware that the third class and inter-class carriages in this section are generally in a dirty and untidy condition and are not usually provided with lavatory arrangements, and that the trains are very much overcrowded?

(c) If so, are the Government considering the desirability of taking such steps as may be necessary to redress the above grievances?

*Questions and Answers.***Answer by the Hon'ble Mr. Cowley:—**

"(a) The management of the Eastern Bengal Railway reports that the 1st and 2nd class carriages which run on the southern section are not provided with lavatories. The distances between Calcutta and the several termini on this section are 37, 28 and 17 miles respectively and the longest time taken on any of the journeys is a little over two hours. Lavatories for the use of 1st and 2nd class passengers are provided at all the terminal stations and at Ballygunge, Sonarpur, Baruipur and Magrahat. In view of the conveniences provided it is not considered necessary to provide lavatory accommodation in carriages for short-run journeys.

Drinking water is procurable at the terminal stations and at Ballygunge, Sonarpur, Baruipur, Magrahat, Ghutiyari Sharif, Champahati, Kalighat and Majherhat.

(b) It has been ascertained from the management of the Railway that the 3rd and inter-class carriages on this section have become dirtier and more neglected in appearance during recent years owing to circumstances arising out of the war, which have precluded renovation and renewal of coaching stock to the extent that is desirable. Lavatories are not provided in these classes of carriages for the reasons stated in the reply to question (a) above. A recent census shows that there have been a few instances of overcrowding due chiefly to fluctuations of traffic from day to day and only occasionally to variations in the capacity of the trains.

(c) Endeavours are being made to improve the train service, but the management is still labouring under the difficulties created by the war. As new stock is constructed, an improvement may be expected. In regard to overcrowding, two of the train compositions have recently been strengthened."

By the Hon'ble Rai Radha Charan Pal Bahadur:—***VI.**

With reference to the resolution regarding the organization of the cloth weaving industry which was accepted at a meeting of the Council on the 3rd July, 1918, will the Government be pleased to state what steps (if any) have been taken in pursuance thereof, and with what results?

Organization of the cloth weaving industry.

Answer by the Hon'ble Mr. McAlpin:—

"The Hon'ble Member is referred to the statement made by the Hon'ble the Revenue Member in charge in connection with the said resolution. This was accepted on the understanding that the agencies for any advance should be, first, the Co-operative movement, secondly, the Weaving Institute, and, thirdly, agricultural improvements. On these lines Government were already taking action. As an interesting advance has been made by the Department of Co-operative Credit, a copy of a note on the subject written by the Registrar, Co-operative Societies, is laid on the library table. The Hon'ble Member is also referred to the answers given to his questions Nos. VII and VIII."

By the Hon'ble Rai Radha Charan Pal Bahadur:—***VII.**

With reference to the reply to my unstarred question No. XL of the 3rd July, 1918, will the Government be pleased to lay on the table the result of the inquiry regarding the possibility of reviving the indigenous *charkas* for the spinning of yarns?

Revivification of the indigenous *charkas* for the spinning of yarns.

Questions and Answers.

Answer by the Hon'ble Mr. McAlpin:—

“Copies of—

(1) the Press *Communiqué* of the 28th October, 1918, and

(2) Mr. N. N. Pillai's report

are laid on the library table.”

By the Hon'ble Rai Radha Charan Pal Bahadur:—

***VIII.**

Improvement
of cotton
cultivation.

(a) Will the Government be pleased to state what steps (if any) have been taken in pursuance of the resolution regarding the improvement of cotton cultivation, which was carried at a meeting of the Council held on the 19th August, 1918?

(b) What are the results of the inquiry undertaken by Mr. N. N. Pillai in this connection?

Answer by the Hon'ble Mr. McAlpin:—

“(a) The Hon'ble Member is referred to the Press *Communiqué* of the 28th October, 1918, of which a copy has been laid on the library table. In paragraph 9 of that *Communiqué* a reference was made to a recommendation that seed for home-spinning purposes should be imported and distributed in small quantities to those prepared to use the produce for home-spinning. Last January Government accordingly sanctioned a grant for the purchase of 1,100 maunds, which had been ascertained to be the requirements for this purpose of the Dharwar American variety for distribution free for the spring sowings. Experiments at Dacca and elsewhere in the province had demonstrated the superiority of this variety. Meanwhile the Agricultural Department are continuing their investigations. The latest recommendation regarding the improvement of cotton cultivation in Bengal will be found in Chapter X of the Report of the Indian Cotton Committee, 1919.

(b) The Hon'ble Member is referred to the report which has been laid on the library table.”

By the Hon'ble Rai Radha Charan Pal Bahadur:—

***IX.**

Cultivation of
rabi food crops.

With reference to the answer to my unstarred question No. XLIII of the 3rd July, 1918, will the Government be pleased to state—

(a) what measures (if any) have been adopted for bringing about a more extensive cultivation of *rabi* food crops, and

(b) what conclusions were arrived at by the Provincial Agricultural Association in regard to this question last year, and how far they have been put into practice?

Answer by the Hon'ble Mr. McAlpin:—

“(a) *Rabi* seeds to sow 11,700 acres were distributed under the Agriculturists Loans Act in the flooded areas of Rajshahi and Bogra districts last October. This year arrangements have already been made to supply cash orders for about Rs. 20,000 worth of *rabi* seeds in the districts of Rajshahi, Bogra, Pabna and Dinajpur.

(b) A copy of the conclusions of the Bengal Provincial Agricultural Association in regard to this question is laid on the table.

The answer to the second part of the question is given in (a) above.”

Questions and Answers.

Resolutions of the Bengal Provincial Agricultural Association at their meeting held in Calcutta on the 4th July, 1918, referred to in the reply to question No. IX (Starred).

Measures for increasing the cultivation of *rabi* food-crops in Bengal with the object of relieving railway traffic.

I. (1) The Association note that the following causes operate to discourage the more extensive cultivation of *rabi* food-crops in Bengal :—

- (i) Before the crops can be harvested it is time to prepare the land for jute and other *bhadoi* crops.
- (ii) Some kinds of *rabi* pulse crops following *bhadoi* crops are believed in some districts to impoverish the land and diminish the yield of the next *bhadoi* crops.
- (iii) Low-lying land does not dry up early enough to admit of sowing a *rabi* crop in November.
- (iv) Bengal *rabi* food-crops are generally of inferior quality and cannot compete with produce from other parts imported by railway.
- (v) Cultivators are averse to the hard work involved in producing a good *rabi* crop.
- (vi) The necessary practice of letting cattle loose to graze in the rice-stubble after the harvest of winter rice causes much damage to *rabi* crops.
- (vii) Red laterite soil and very low land are unsuitable for *rabi* crops, and the area which is suitable and not already used for *rabi* crops is strictly limited.
- (viii) On certain soils *rabi* crops require irrigation for which facilities are not always available.
- (ix) The outturn is uncertain.
- (x) The plough cattle in Bengal are generally in poor condition after the rains.

(2) The Association deprecate any attempt to grow *rabi* crops as a substitute for a crop which has been found by experience to pay better.

(3) The Association note the opinions that in certain districts the extension of the cultivation of *rabi* crops is practicable to a limited degree without the curtailment of the area under other crops, and support the proposal for issuing loans under the Land Improvement Loans Act in Birbhum and Bankura for schemes for irrigation of *rabi* crops, and as regards seed recommend loans under the Agriculturists' Loans Act where such are required, and the supply of imported seed by the Agricultural Department at cost price and on cash payment to individuals and rural associations through the departmental seed stores. As an alternative method they recommend that Government should advance money for the purchase of seed to Agricultural Associations, or District Boards, and that the Associations or Boards should be authorized to advance money or seed on credit to cultivators without charging interest, but should be responsible for recovering the advances after the harvest and repaying Government in full, themselves bearing any loss due to short recoveries.

By the Hon'ble Rai Radha Charan Pal Bahadur:—

***X.**

(a) With reference to the discussion on the resolution moved by the Hon'ble Maulvi A. K. Fazl-ul-Haq at the Council meeting on the 19th August, 1918, suggesting an increase in the pay of public servants, will the Government be pleased to state whether the question is at present under their consideration?

Increase in the pay of public servants.

(b) Have the Government received any representations from any branch of the public service in the matter? If so, will the Government be pleased to indicate the purport of each such representation and the orders passed thereon?

Questions and Answers.

(c) Are the Government considering the desirability of making the necessary inquiries as to what steps (if any) have been taken for relieving the distress of public servants in the various offices and departments under the Government of India, and in the offices under the different Provincial Governments?

Answer by the Hon'ble Mr. Payne:—

"(a) The Hon'ble Member is referred to the *communiqué* issued on the 12th June, 1919, by this Government, a copy of which is laid upon the table.

(b) Representations have been received from many branches of the public service. The purport of all the representations has been the same, viz., that the prevailing high prices warrant some improvement in the pay of posts fixed when prices were generally lower. In some of the petitions increase of work and responsibility have also been urged.

In some cases a reorganisation of a particular cadre has been the result. Other cases have been considered to be met by the issue of the orders on which the *communiqué* is based. In other cases Government have been unable at present to do anything owing to financial reasons.

(c) The Government of Bengal are primarily concerned with conditions in this Presidency, although they are to some extent aware of the action taken by the Government of India, and other Provincial Governments in the matter. The need of further inquiry in this direction is doubted."

Press communiqué referred to in the answer by the HON'BLE MR. PAYNE, to question No. X (Starred) asked by the HON'BLE RAI RADHA CHARAN PAL BAHADUR at the Council meeting of the 3rd July, 1919.

GOVERNMENT OF BENGAL.**FINANCIAL DEPARTMENT.**

CALCUTTA, THE 12TH JUNE, 1919.

PRESS COMMUNIQUÉ.

IN order to obviate in some measure the hardship caused to the lower ranks of Government servants by the existing high prices of essential commodities, the Government of Bengal have obtained the sanction of the Government of India to the payment of a monthly War allowance at the following rates—

			Rs.	Rs. A.
Those drawing over and not more than	...	...	12	1 0
	...	...	20	
Ditto	...	...	20	1 8
	...	...	30	
Ditto	...	...	30	2 0
	...	...	40	
Ditto	...	...	40	2 8
	...	...	50	

These allowances will be payable with retrospective effect from 1st April, 1919, and will continue until six months after the official termination of the War.

C. F. PAYNE,

Secy. to the Govt. of Bengal.

*Questions and Answers.***By the Hon'ble Babu Kishori Mohan Chaudhuri:—*****XI.**

(a) Has the attention of the Government been drawn to the reply to the questions of the Hon'ble Maharaja Sir Manindra Chandra Nandi in the Imperial Legislative Council regarding the improvement of the Educational Service (*vide* question No. 29 published in the *Gazette of India* of the 8th March last), in which the Hon'ble Sir C. Sankaran Nair stated that as regards the higher services, whose case was considered by the University Commission, in view of the delay likely to be entailed by its investigations and the framing of conclusions, personal allowances were granted in 1913 to certain members of the Provincial Educational Service whose special attainments or whose unsatisfactory position as regards emoluments appeared to justify such treatment and subsequently some allowances were given to the members of the Indian Educational Service whose interests were prejudiced by this inevitable delay?

Improvement
of the Educational
Service.

(b) Will the Government be pleased to lay on the table a statement showing—

- (i) the names of those officers in this Province to whom these special allowances were granted, and
- (ii) the special circumstances in each case for granting these allowances and the principle which guided the grant of such allowances?

(c) Are the Government aware of the discontent that has been created among the members of the Provincial Educational Service educated in India owing to the grant of these allowances on what is believed to be the basis of education in England only, apart from the intrinsic merit or academic qualifications of the recipients?

(d) If so, what steps (if any) are being or have been taken to allay such discontent?

Answer by the Hon'ble Mr. Goode:—

“(a) The Hon'ble Member presumably means the Public Services Commission and not the University Commission. The reply is in the affirmative.

(b) (i) The names of the officers are as follows:—

Provincial Educational Service.

Sir P. C. Roy.
Dr. D. N. Mullick.
Mr. S. C. Mahalanobis.
Rai Bahadur P. Chatterji.
Mr. J. N. Das Gupta.

Indian Educational Service.

Mr. B. Heaton.
Mr. H. R. James.
Mr. F. C. Turner.
Mr. T. H. Richardson.
Mr. J. R. Barrow.

(ii) The principles on which these allowances are granted were laid down by the Government of India. In the case of the Provincial Educational Service, officers were selected for allowances who possessed European qualifications and who by their academic attainments and the value of the work done by them in Government service seemed to deserve special treatment in anticipation of general measures for the amelioration of the service. In the case of the Indian Educational Service also allowances have

Questions and Answers.

been given in deserving cases as a temporary measure of alleviation pending the result of the Public Services Commission, special consideration being given to cases of hardship where officers of long service had not attained to junior or senior allowances.

(c) The reply is in the negative.

(d) The question does not arise."

By the Hon'ble Babu Kishori Mohan Chaudhuri:—

***XII.**

University
careers of certain
officers of the
Provincial
Educational
Service.

Will the Government be pleased to lay on the table a statement showing the university careers, in detail, both European and Indian, of the ten officers of the Provincial Educational Service recently promoted to the Indian Educational Service, stating degrees, Pass or Honours and division in case of Honours degrees?

Answer by the Hon'ble Mr. Goode:—

"Eight officers of the Provincial Educational Service have recently been promoted to the Indian Educational Service and not ten as stated in the question. A statement giving particulars of their university careers, as far as available, is laid on the table."

Statement referred to in the answer by the HON'BLE MR. GOODE to question No. XII (Starred) asked by the HON'BLE BABU KISHORI MOHAN CHAUDHURI at the Council meeting of the 3rd July, 1919, showing the details of academic qualifications of the officers of the Provincial Educational Service recently appointed to the Indian Educational Service in Bengal.

Name	Qualifications
1. Mr. J. N. Das Gupta ...	Oxford—B.A., 2nd class in the School of History and Jurisprudence. Barrister-at-Law.
2. Dr. D. N. Mullick ...	Cambridge—B.A., 22nd Wrangler. Dublin—D.SC. (obtained by Thesis), F.R.S.E.
3. Rai Dr. P. Chatterjee Bahadur ...	Calcutta—B.A., Pass Course. Edinburgh—D.SC. (obtained by examination and Thesis).
4. Rai B. N. Das Bahadur ...	Calcutta—M.A., 1st class in Chemistry. London—B.SC., 3rd class Honours.
5. Mr. M. Ghosh ...	Oxford—B.A., 2nd class in Classical Moderations.
6. Mr. S. C. Mahalanobis ...	Edinburgh—B.SC., F.R.S.E. After taking his degree acted as a Demonstrator in Botany to Professor Balfour, worked for a year in the Medical Research Laboratory at Edinburgh, acted for a year and a half as Assistant Professor in the University College of South Wales, Cardiff, where he also officiated for the Professor of Physiology. Was one of the three candidates from whom final selection was made for Professorship of Physiology at the University College, Bristol.
7. Rai P. K. Basu Bahadur ...	Calcutta—B.A., Pass Course. M.A., 3rd class in Chemistry.
8. Khan Bahadur Ahsanullah ...	Calcutta—B.A., Pass Course. M.A., 3rd class in Mental and Moral Philosophy.

*Questions and Answers.***By the Hon'ble Rai Mahendra Chandra Mitra Bahadur:—*****XIII.**

(a) Are the Government aware that there has been an abnormal rise in the price of rice, mustard oil, pulses and *ghee*? High price of food-stuffs.

(b) Are the Government considering the desirability of controlling the price of these articles by district officers or other competent authority?

(c) Are the Government aware that the sufferings of the *raiyats* and middle class *bhadralok* are on the increase owing to the unusually high price of food-stuffs in general?

(d) If so, will the Government be pleased to state what steps (if any) they are taking to relieve their sufferings?

Answer by the Hon'ble Mr. McAlpin:—

“(a), (b), (c) and (d) The Hon'ble Member is referred to the statement which will be made in connection with the resolutions on the same subject which will be moved at the present Council meeting.”

By the Hon'ble Babu Kishori Mohan Chaudhuri:—***XIV.**

(a) Is it a fact that Rai Kumudinikanta Banerji Bahadur is in receipt of a house allowance of Rs. 60 only since 1910? House allowance of Rai Kumudinikanta Banerji Bahadur.

(b) Is it a fact that he is given this allowance on condition that he should live in a house close to the college and its attached hostels?

(c) Is it a fact that he had to build a house at a considerable outlay as no suitable house was available?

(d) Is it also a fact that when he applied for a house building advance Government declined to sanction it?

Answer by the Hon'ble Mr. Goode:—

“(a), (b), (c) and (d) In 1907 Rai K. K. Banerji Bahadur applied for a house-allowance, but the Director of Public Instruction was unable to grant it unless the Rai Bahadur took up his residence nearer the college hostels, so as to exercise closer supervision over them. There was no suitable house available and the Rai Bahadur asked for a building advance with the intention of building on a plot of land which he owned near the hostels. This application was refused, as there was at the time a scheme for the construction by Government of quarters for the Principal of the college. This scheme did not materialize and the Rai Bahadur constructed a house of his own accord on the land referred to. He was then granted a house-rent allowance of Rs. 60 a month with effect from 1st March, 1910.”

By the Hon'ble Babu Kishori Mohan Chaudhuri:—***XV.**

(a) Is it a fact that when Rai Kumudinikanta Banerji Bahadur took over charge of the Rajshahi College in 1897, it was in a moribund condition? Status of the Rajshahi College under the principalship of Rai Kumudinikanta Banerji Bahadur.

(b) Is it a fact that only 3 B. A.'s in pass course were turned out in the four years immediately preceding his appointment, and that since his appointment the college has been growing steadily and it is now one of the biggest colleges in Bengal?

Questions and Answers.

(c) Is it a fact that the fee receipt in 1896 was about Rs. 4,000 and that it is now nearly Rs. 60,000?

(d) Is it a fact that his predecessor was an Indian Educational Service officer?

(e) Is it a fact that the numerical strength of the college is practically equivalent to that of the Krishnagar, Hooghly and Chittagong colleges put together?

(f) Is it also a fact that over one hundred graduates (B. A.'s and B. Sc.'s), many with high Honours, and about one hundred and fifty I. A.'s and I. Sc.'s are turned out annually by the college, and that these numbers are much greater than the numbers of graduates and under-graduates turned out annually by the Krishnagar, Hooghly and Chittagong colleges put together?

Answer by the Hon'ble Mr. Goode:—

"(a) and (b) During the 4 years preceding the appointment of the Rai Bahadur the college turned out 4 graduates in the pass course. When the Rai Bahadur assumed charge in 1897 the number of pupils on the rolls was 116, while the college is now one of the biggest institutions of its kind in Bengal. All credit is due to the Rai Bahadur for his admirable work as Principal, and in spite of the fact that his term of office has coincided with a remarkable expansion in the demand for collegiate education, no one can doubt that the development of the college is due mainly to his administrative ability and his zeal for the welfare of the institution.

(c) The figures are approximately correct.

(d) The reply is in the affirmative.

(e) It was almost so in 1917-18, but in 1918-19 the numerical strength of the three colleges exceeded that of the Rajshahi College by 123.

(f) During the last three years the average number of graduates and under-graduates from Rajshahi College have been roughly 100 and 125, respectively, as against averages of 70 and 132 for the other three colleges referred to."

By the Hon'ble Babu Kishori Mohan Chaudhuri:—***XVI.**

Supervision of
Rai
Kumudinikanta
Banerji Bahadur.

(a) Is it a fact that European officers such as Messrs. Billing and Shaw who were in the Provincial Educational Service and who were the Principals of the Krishnagar and Hooghly Colleges, respectively, have been promoted to the Indian Educational Service?

(b) Is it a fact that Rai Kumudinikanta Banerji Bahadur is seeking appointment elsewhere in consequence of supersession by his juniors?

(c) Is it also a fact that many senior professors are to be transferred during the ensuing session?

(d) Are the Government aware that the Rajshahi College is practically in its infancy and of the necessity of taking special care in the appointment of its Principal?

*Questions and Answers.***Answer by the Hon'ble Mr. Goode:—**

(a) There were special circumstances in Mr. Billing's case. His promotion to the Indian Educational Service was decided on when the services were reorganised in 1896 and he was promoted to the Indian Educational Service in 1898, having already officiated in the old graded service for 8 years. This Government have no information about Mr. Shaw, who was in Class I of the Provincial Educational Service when the province of Bihar and Orissa was formed.

(b) It is a fact that Rai Kumudinikanta Banerji Bahadur has accepted temporarily a post under the Calcutta University as Inspector of colleges on Rs. 800 a month—a higher salary than he is now drawing in Government employ.

(c) Two professors have been transferred with the consent of the Governing Board. It is not proposed to transfer any other senior professor from the college.

(d) Government realise the necessity of taking special care in the appointment of the Principal."

By the Hon'ble Rai Mahendra Chandra Mitra Bahadur:—***XVII.**

(a) Will the Government be pleased to state whether they have issued any rules or notifications for controlling the sale of kerosine oil?

Rules and notifications for controlling the sale of kerosine oil.

(b) If so, will the Government be pleased to lay on the table a copy of any such rules or notifications?

(c) Will the Government be pleased to state whether the rules in force for controlling the sale of kerosine oil are the same in the various districts of Bengal?

(d) If not, will the Government be pleased to state in what respects they differ?

Answer by the Hon'ble Mr. Payne:—

"(a) and (b) Government have not brought the sale of kerosine oil under control as contemplated in the Defence of India (Consolidation) Rules, 1915 Government, however, with the agreement of the Oil Companies, issued executive instructions to all district officers, pointing out that the sub-agents of the Oil Companies were under agreement to sell at certain wholesale rates, and instructing district officers to arrange with the sub-agents to appoint dealers who would agree to sell kerosine oil retail at prices fixed by the district officer with reference to the authorised sub-agents' prices.

(c) The same executive instructions were issued to all the district officers of Bengal.

(d) Does not therefore arise."

*Questions and Answers.***UNSTARRED QUESTIONS.***(Answers to which were laid on the table.)***By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—****1.**

Mortality from tuberculosis in municipal and rural areas.

(a) Are the Government in a position to make a statement showing the variation in the death rate from tuberculosis during the last ten years in the municipal and rural areas respectively?

(b) What special arrangements are there in the public hospitals for the treatment of persons suffering from tuberculosis; and what is the extent of accommodation for such patients in such hospitals as have special tuberculosis wards?

Answer by the Hon'ble Mr. Goode:—

“(a) It is not possible to supply the information required as deaths from tuberculosis are not recorded separately.”

(b) A statement showing the hospitals which have special wards for the treatment of persons suffering from tuberculosis and the accommodation in each is laid on the table.”

Statement referred to in the answer by the HON'BLE MR. GOODE to question No. 1 (Unstarred) asked by the HON'BLE BABU BROJENDRA KISHOR RAY CHAUDHURI at the Council meeting of the 3rd July, 1919, showing the head-quarters hospitals having special wards for treatment of phthisical patients and the number of beds in each.

Name of district.						Number of beds.
1.	Burdwan	...	...	...	...	8
2.	Birbhum	...	...	...	...	4
3.	Bankura	...	...	...	...	4
4.	Midnapore	...	...	...	...	6
5.	Nadia	...	...	...	...	4
6.	Jessore	...	...	...	...	4
7.	Khulna	...	...	...	...	6
8.	Mymensingh	...	...	...	...	6
9.	Noakhali	...	...	...	...	2
10.	Tippera (Comilla)	...	...	...	...	4
11.	Rajshahi	...	...	...	...	4
12.	Dinajpur	...	...	...	...	8
13.	Jalpaiguri	...	...	...	...	6
14.	Rangpur	...	...	...	...	6
15.	Bogra	...	...	...	...	4
16.	Pabna	...	...	...	...	4
17.	Presidency General Hospital, Calcutta	...	...	...	...	48
18.	Medical College Hospital, Calcutta	...	...	...	...	24
19.	Chittagong Hill-tracts, Head-Quarters Hospital	...	...	...	...	4

*Questions and Answers.***By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—****2.**

(a) Will the Government be pleased to state the amounts that have been spent on inquiries in regard to stegomyia, year after year, and the result of such inquiries?

Expenditure on
stegomyia
inquiries.

(b) Will the Government be also pleased to make a similar statement in regard to the investigations in connection with diabetes?

Answer by the Hon'ble Mr. Goode:—

“(a) and (b) A statement showing the expenditure incurred by Government in regard to inquiries into stegomyia and diabetes is laid on the table.

Stegomyia Survey.—In 1912 a stegomyia survey was made of the port by Major MacGilchrist, I.M.S., As a result of his inquiry it was arranged to undertake an investigation in typical areas in Calcutta, and in 1914 effect was given to this by the deputation of an Assistant Surgeon Dr. C. K. Nandi, to work for one year under the Health Officer of the Corporation. Dr. Nandi carried out a survey in two selected areas in the city. Subsequently, a further inquiry was made in 1915 by Major Christopher, who was deputed for the purpose by the Government of India at the request of this Government, and as a result of his report the Corporation recommended that a campaign against stegomyia on the lines suggested by him should be conducted first in the port under a specially qualified officer. It was, however, found that there would be considerable difficulty in doing this owing to the port area being under the separate jurisdiction of several local bodies and the insufficiency of the powers of these bodies for the purpose in view. The first thing necessary was to establish a homogeneous sanitary control over the whole area. The matter was, therefore, referred to a conference representing the different bodies concerned, which submitted a report and a draft Bill to give effect to their suggestions. A Bill known as the Calcutta Port Sanitation Bill, is now under the consideration of Government.

Diabetes Inquiry.—The inquiry into diabetes by Major McCay and his co-workers in Calcutta has yielded valuable scientific results and has added to our knowledge of the pathology of the disease as well as indicating essential points in its successful treatment. A series of papers describing the results have been published in the Indian Journal of Medical Research.

A copy of the report of Major MacGilchrist, a summary of Dr. C. K. Nandi's survey, Major Christopher's memorandum and the report of the conference to consider the homogenous sanitary control of the port area are laid on the library table.”

Statement referred to in the answer by the Hon'ble Mr. Goode to question No. 2 (Unstarred) asked by the Hon'ble Babu Brojendra Kishor Ray Chaudhuri at the Council meeting of the 3rd July, 1919.

Amount spent on inquiries in regard to stegomyia—

Year.					Amount.
					Rs.
1912-13	...	...	...	...	12,781
1913-14	...	...	...	...	Nil
1914-15	...	...	...	...	1,417
1915-16	...	...	...	...	1,776
1916-17	...	...	...	...	51
1917-18	...	...	...	...	100

Questions and Answers.

Amount spent on inquiries in regard to diabetes—

Year.	Amount.
	Rs.
1915	9,178
1916	12,146
1917	11,946
1918	6,157

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

3.

Non-utilization
of Imperial
grants for
education.

With reference to the non-utilized grants made by the Government of India for purposes of education, will the Government be pleased to state how much of the same is represented by—

- (a) schemes which are not yet ready;
- (b) schemes which have been forwarded to the Government of India but have not yet been sanctioned by them; and
- (c) schemes which have been so sanctioned but have not been carried into effect by the provincial Government?

Answer by the Hon'ble Mr. Gopde:—

	Rs.
"(a) (i) Schemes which are not ready ...	74,38,000
(ii) Schemes postponed on account of abnormal financial conditions ...	35,52,000
(b) Schemes not sanctioned by the Government of India ...	17,57,000
(c) Nil."	

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

4.

Defence of
undefended
accused in
sessions cases.

(a) Will the Government be pleased to make a statement showing the number of sessions cases in each district, in which the accused were defended at Government expense during the last two years, and the amount of expenditure incurred in that connection in each district?

(b) By whom is the selection of a pleader or pleaders made for the defence of such cases?

(c) Is it a fact that such selection is usually made on the recommendation of the court inspector or of the public prosecutor having charge of the prosecution of such cases?

(d) Are the Government considering the desirability of making a rule that such selection shall be made by the president of the bar association, on a reference to him by the sessions judge?

Answer by the Hon'ble Mr. Graham:—

- "(a) A statement is laid on the table
- (b) By the District Magistrate.
- (c) No.
- (d) No."

Questions and Answers.

Statement referred to in the answer by the HON'BLE MR. GRAHAM to question No. 4 (Unstarred) asked by the HON'BLE BABU BROJENDRA KISHOR RAY CHAUDHURI at the Council meeting of the 3rd July, 1919, showing the number of sessions cases in each district in which the accused were defended at Government expense during the last two calendar years, and the amount of expenditure in that connection in each district.

DISTRICT.	1917.		1918.	
	No. of cases.	Expenditure incurred.	No. of cases.	Expenditure incurred.
		Rs.		Rs.
Burdwan	1	30	1	50
Birbhum	1	20	2	55
Bankura	4	200	1	70
Midnapore	2	80	1	40
Hooghly	2	68	7	406
Howrah	3	96	2	64
24 Parganas	2	107	6	312
Nadia	1	40	3	106
Murshidabad	...	...	1	100
Jessore	...	...	5	166
Khulna	1	25	4	140
Dacca	...	...	4	112
Mymensingh	...	...	6	244
Faridpur	...	...	3	91
Bakarganj	1	128	13	643
Chittagong	...	...	5	432
Tippera	...	...	4	200
Noakhali	...	...	1	20
Rajshahi	2	40	6	424
Dinajpur	...	...	4	238
Jalpaiguri	...	...	1	25
Rangpur	...	...	2	64
Bogra	1	32	2	64
Pabna	1	64	...	...
Malda	1	48	1	15
Darjeeling	...	...	1	32
Chittagong Hill-tracts	...	...	1	50

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

5.

With reference to unstarred question No. XL of the 19th August, 1918, will the Government be pleased to state what results have been obtained in Bengal from experiments in making paper-pulp from bamboo, and by whom were these experiments carried out? Paper-pulp experiments from bamboo.

Answer by the Hon'ble Mr. McAlpin:—

“Experiments have been made in Bengal with a view to producing paper-pulp from bamboo, but these experiments have been carried out by private firms who desire that the results should be kept confidential.”

*Questions and Answers.***By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—****6.**

Lease of a
Chittagong
forest for
paper-pulp
manufacture.

(a) Has there been any proposal for giving a lease of a Chittagong forest to Messrs. Andrew Yule & Co. for the manufacture of paper-pulp from bamboos?

(b) If so, on what terms?

(c) Is it a fact that objections have been raised by, among others, certain public associations of Chittagong, against the said proposal? If the answer be in the affirmative, what is the purport of such objections and what steps (if any) are the Government taking thereon?

Answer by the Hon'ble Mr. McAlpin:—

“(a) Yes.

(b) The terms on which the lease, if it is eventually granted, will be given are at present under consideration.

(c) It is a fact that objections have been raised by the Chittagong Association. The main objections are that the forest reserve in question provides bamboos for the local needs of Chittagong and the Chittagong Hill-tracts; and that there will be a dislocation of the supply and a rise in local prices. The objections are being carefully considered and they have also been forwarded to the local officers for report.”

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—**7.**

Date-gur and;
sugarcane
investigations at
Dacca Farm.

What progress has been made in Mr. Annet's investigations regarding date-gur, and what results have been obtained from the examination of Bengal varieties of sugarcane in regard to the sucrose contents of their juices, at the Dacca Farm?

Answer by the Hon'ble Mr. McAlpin:—

“The investigation into date-sugar has been in abeyance since the departure of Mr. Annett from this province. This is partly due to the urgent necessity of proceeding with the soil survey of the province; but chiefly because the work on cane-sugar is considered more important.

The work on sugar-cane has made considerable progress, as regards both the testing of exotic varieties and the classification of local races. Distribution of a superior cane has been proceeding for the past two years and careful arrangements are being made to make the distribution scheme as efficient as possible. It is hoped that the work on cane-sugar will yield sufficiently definite results, in the course of the next two years, to allow of the resumption of the date-sugar investigation.”

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—**8.**

River
improvement in
Dacca division.

With reference to unstarred question No. 27 of the 19th December, 1918, have the Government received the project report from the Executive Engineer, on special duty, in connection with river improvement in the Dacca division? If so, what are the principal features thereof?

Answer by the Hon'ble Mr. Cowley:—

“The Executive Engineer on special duty has lately submitted projects for the improvement of the Sital Lakshya, Dolai and Tulsi-Khali *khals* in the Dacca district. Government are not prepared to make any statement concerning them until they have been fully examined.”

*Questions and Answers.***By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—****9.**

What progress has been made in the proposal for the formation of a Water-ways Trust, since the reply to unstarred question No. 33 of the 19th December, 1918? Water-ways Trust.

Answer by the Hon'ble Mr. Gowley:—

"The views of the Bengal Government in regard to the proposal for the formation of a Water-ways Trust were communicated to the Government of India last February and no further information is at present available."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—**10.**

With reference to unstarred question No. 8 of the 18th February, 1919, what steps (if any) have been taken on the representation of the Dacca People's Association regarding the Dacca School of Engineering? Dacca School of Engineering.

Answer by the Hon'ble Mr. Goode:—

"A report was called for from the Director of Public Instruction on the various points referred to in the representation, and has just been received. It is hoped to examine it early."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—**11.**

With reference to the statement made by the Hon'ble Mr. Wordsworth in connection with a resolution moved by the Hon'ble Maulvi A. K. Fazl-ul Haq on the 19th August, 1918, to the effect that "proposals for the development and improvement of the work of the Dacca School of Engineering are under consideration," will the Government be pleased to state what are the specific proposals under consideration, and whether any decision has been arrived at with regard thereto? Proposals for developing and improving the work of the Dacca School of Engineering.

Answer by the Hon'ble Mr. Goode:—

"The main proposals are—

- (1) Removal of the school to the old Secretariat Press Buildings.
- (2) Appointment of a Governing Body and alteration of the designation of the head of the school from "Headmaster" to "Principal."
- (3) Fixing of a consolidated grant for contingencies.
- (4) Improvement of the staff.

Consideration of (1) has been postponed pending the receipt of the University Commission's recommendations. Definite proposals with regard to (2) and (3) have not yet been framed. The question of staff has received the attention of the Director of Public Instruction and his proposals for improvement have recently been received."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—**12.**

Is there any proposal for reviving the electrical and mechanical engineering courses at the Dacca School of Engineering and resuming the working of the power-house attached thereto? Electrical and Mechanical engineering courses at the Dacca School of Engineering.

Answer by the Hon'ble Mr. Goode:—

"The reply is in the negative."

Questions and Answers.

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

13.

Mechanical and electrical students of Eastern Bengal studying at Sibpur.

Will the Government be pleased to state the present number of students in each of the mechanical and electrical classes at Sibpur and how many of them belong to the different Eastern Bengal districts?

Answer by the Hon'ble Mr. Goode:—

"A statement is laid on the table."

Statement referred to in the answer by the HON'BLE MR. GOODE to question No. 13 (Unstarred) asked by the HON'BLE BABU BROJENDRA KISHOR RAY CHAUDHURI at the Council meeting of the 3rd July, 1919, showing the number of students in each of the mechanical and electrical engineering classes at the Sibpur College.

Anglo-Indians.	INDIANS—			Total.	Districts to which Eastern Bengal students belong.
	East Bengal.	West Bengal.	Other Provinces.		
1st year ... 12	7	17	1	37	Dacca ... 5 Pabna ... 1 Rajshahi ... 1
2nd year ... 7	5	16	2	30	Dacca ... 1 Rangpur ... 1 Faridpur ... 1 Mymensingh ... 1 Chittagong ... 1
3rd year ... 8	Nil	5	2	15	
Practical Training 6	2	3	1	12	Chittagong ... 1
Total ... 33	14	41	6	94	

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

14.

Management of Chittagong port.

(a) Is there any proposal for handing over the management of the port of Chittagong to the Assam-Bengal Railway?

(b) If so, will the Government be pleased to lay all the papers in connection therewith on the table?

Answer by the Hon'ble Mr. Cowley:—

"(a) The Government of India have proposed that the management of the port of Chittagong be transferred to the Assam-Bengal Railway; and the Government of Bengal, after consulting the local authorities, have agreed, as it appeared, after detailed examination of various alternatives and of the finances of the port, that there was no other possible alternative for financing the improvements recommended on the report of Sir George Buchanan.

(b) It is not possible to lay on the table the correspondence with the Imperial Government without the permission of that Government. The Government of India are being addressed in the matter."

*Questions and Answers.***By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—****15.**

(a) With reference to unstarred question No.1 of the 3rd April, 1919, will the Government be pleased to publish the report of the Committee on the future organization of Hindu girls' education? Hindu girls' education.

(b) When was the said report submitted by the said Committee, and what action has since been taken thereon?

Answer by the Hon'ble Mr. Goode:—

"(a) A copy of the report of the Hindu Female Education Committee is laid on the library table.

(b) The report of the Committee was submitted to Government on the 31st March, 1916. The terms of reference to the Committee were—

- (i) to consider and report on the existing facilities for the education of Hindu girls and the extent to which the various sections of Hindu society avail themselves of the several agencies which are now employed;
- (ii) to consider and report in detail on the extent to which the existing facilities are adequate and satisfactory;
- (iii) to make detailed suggestions, with approximate estimates of cost, for remedying any defects which the Committee finds to exist.

With regard to the first and second some of the facts and figures in the Committee's report were found on examination to be incorrect and Government was consequently unable to accept altogether the findings of the Committee.

In respect of the third, the suggestions of the Committee centred round three main proposals, viz. :—

- (a) revision of the curricula on lines formulated by it with a view to their adoption in girls' schools;
- (b) Establishment of a thoroughly equipped model secondary school under Government management (not following the ordinary high school course) at Calcutta;
- (c) constitution of a thoroughly representative standing Committee with full executive functions and exercising absolute control over Hindu female education with a staff of Hindu and Brahmo Inspectresses

Government are unable to accept the first and the last of these proposals, but as regards the second, the Director of Public Instruction was called on to submit a scheme which, however, could not be considered on account of the financial stringency consequent on the war. A scheme has, however, been recently submitted and is now under the consideration of Government."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—**16.**

(a) Are the Government aware of the hardships of the steamer and railway passengers at Goalundo for want of waiting rooms at the station or any similar accommodation in flats on the river? Waiting accommodation at Goalundo Ghât.

(b) If so, are the Government considering the desirability of taking steps for the removal of this grievance?

*Questions and Answers.***Answer by the Hon'ble Mr. Cowley:—**

"(a) and (b). The Hon'ble Member is referred to the answer given in the Council on the 3rd September, 1918, to starred question No. 7 asked by the Hon'ble Babu Kishori Mohan Chaudhuri."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

17.

Development of industries.

With reference to the provision of Rs. 2,50,000 in the Budget for 1919-20, for the development of industries, will the Government be pleased to state what particular industries have been receiving the attention of the Government and what scheme (if any) has been made in this connection?

Answer by the Hon'ble Mr. Payne:—

"Of the Rs. 2,50,000, Rs. 2,00,000 have been provided for the organisation of the Industries Department according to the recommendations of the Indian Industrial Commission, if the sanction of the Secretary of State is received this year.

From the remaining Rs. 50,000 will be met the cost of—

- (1) Additional equipment of the Research tannery.
- (2) An investigation now being made into the tan-stuffs of Bengal
- (3) Experiments in weaving."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

18.

"Home School" for girls.

(a) Will the Government be pleased to state how the scheme of "Home Schools" for girls has worked in Eastern Bengal?

(b) Are the Government considering the desirability of their early extension to other parts of the province?

Answer by the Hon'ble Mr. Goode:—

"(a) The scheme is reported to have worked satisfactorily in Eastern Bengal on the whole.

(b) The extension of the scheme to other parts of the province is not at present under contemplation. The Education Department consider that it is more necessary to extend the Panchayati Union Schools Scheme, which seeks to provide each Union with a model girls' school."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

19.

Drainage Commissioners and Amta drainage scheme.

(a) Will the Government be pleased to state whether the qualifications for the appointment of Drainage Commissioners under the Bengal Drainage Act, 1880, and those under the Bengal Sanitary Drainage Act, 1895, are the same?

(b) Will the Government be pleased to state what progress has been made in the Amta drainage scheme?

Answer by the Hon'ble Mr. Goode:—

"(a) The Hon'ble Member is referred to section 4 of Bengal Act VI of 1880 and sections 3 (1) (c) and 5 of Bengal Act VIII of 1895.

(b) The detailed plans and estimates for works in connection with the Amta drainage project are now under preparation. It is not expected that actual work will commence before October next."

*Questions and Answers.***By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—****20.**

(a) Is it a fact that in the first week of June last, influenza broke out in a virulent form in the Dacca Central Jail and that a number of prisoners died?

Influenza in
Dacca Central
Jail.

(b) Have the Government made an inquiry into the circumstances of this sudden outbreak of the disease in the said jail?

Answer by the Hon'ble Mr. Kerr:—

"Influenza broke out in an epidemic form in the Dacca Central Jail on the 19th May. Up to the 30th June, there were 244 cases among the prisoners, of which 18 proved fatal. An assistant jailor also died. An inquiry has been held by the medical officer into the causes of the outbreak. The available evidence suggests that the infection was introduced into the jail by the head tailor, a paid employé, whose family were suffering from the disease. The first cases occurred among the prisoners employed on tailoring work and not among persons newly admitted to the jail. After the outbreak of the epidemic, jail manufactures were stopped, the prisoners were segregated as far as possible, and all precautions were taken to prevent the disease from spreading. The epidemic is now subsiding, and no fresh cases have occurred since the 25th June."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—**21.**

(a) With reference to the reply given to starred question No. 21 asked at the meeting of the Council held on the 4th September, 1917, will the Government be pleased to state from what source the information wanted was gathered?

Zamindars of
Amta drainage
basin.

(b) Is it a fact that Babu Kashiswar Mukherjee of Uttarpara referred to in the said statement sold his *zamindari* right of the land in respect of the Amta drainage scheme, bearing *tauzi*, No. 38, under the Collector of Hooghly, by a registered deed on the 7th August, 1914, to the late Rai Setab Chand Nahar Bahadur?

(c) Is it a fact that the late Rai Setab Chand Nahar Bahadur paid land-revenue and cesses to the Collector of Hooghly in his own name after the purchase by him of the said estate from Babu Kashiswar Mukherjee and that since the death of Rai Setab Chand Nahar Bahadur, land-revenue and cesses on account of the above estate have been paid by his son, Babu Fateh Lal Singh Nahar Bahadur, to the Collector of Hooghly?

Answer by the Hon'ble Mr. Goode:—

"(a) The information was procured from the Collector of Hooghly.

(b) and (c) Rai Setab Chand Nahar Bahadur's name was registered in *tauzi* No. 38, under the Collector of Hooghly, in place of Babu Kashiswar Mukherjee of Uttarpara in 1914-15 after purchase of the estate and Babu Fateh Singh Nahar, son of Rai Setab Chand Nahar Bahadur, had his name recorded in place of his father by virtue of a deed of gift in 1918-19. Rai Setab Chand Nahar Bahadur paid revenue and cess in his name in respect of his share of *tauzi*, No. 38 up to September *kist*, 1918, since when his son, Babu Fateh Singh Nahar, has been paying revenue and cess."

*Questions and Answers.***By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—****22.**

Indian Police officers and keeping of revolvers.

(a) Is it a fact that Indian police-officers up to the rank of Deputy Superintendent are not allowed to keep revolvers in their possession without a license?

(b) If so, is it in accordance with the law on the matter or on account of any executive order of the Government?

(c) If such prohibition is due to any executive order, was the order made by the Provincial or the Imperial Government?

(d) Will the Government be pleased to lay on the table a copy of any such circular or regulation as may be in existence relating to this matter?

(e) Are the Government considering the desirability of exempting Indian police-officers from the necessity of taking out licenses for keeping revolvers in their possession?

Answer by the Hon'ble Mr. Kerr:—

"(a), (b), (c) and (d) No specific orders have been passed requiring Indian police-officers to take out licenses for revolvers kept for their personal use. Their obligation to do so arises from the fact that no orders have been issued exempting them from the provisions of the Arms Act in respect of revolvers. Revolvers are supplied by Government to officers who require such weapons for the performance of their duties, and in those cases no license is necessary.

(e) No. The Government of India in their Resolution No. 2125 C., dated the 21st March, 1919, have intimated their intention of revising the Indian Arms Rules in a manner which will make it obligatory, after the 1st January, 1920, for all police officers, whether Indian or European, to take out licenses for firearms of any description, other than those supplied by Government."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—**23.**

High prices and relief measures.

(a) Will the Government be pleased to state whether any recent survey has been taken of the condition of the population at different centres as a result of the distress caused by the unprecedented high prices of food-stuffs?

(b) If so, what relief measures (if any) have been taken beyond what has been done at Bankura and Brahmanbaria?

(c) Has the attention of the Government been drawn to the action of the Bihar and Orissa Government in granting from October 1st, 1918, an increased rate of grain compensation allowance to all Government servants drawing not more than Rs. 16 a month?

(d) Have the Government in contemplation any scheme of an increased rate of grain compensation allowance for all Government employés?

(e) What is the position as regards the proposal made to the Government of India for the grant of a war bonus?

(f) Will the Government be pleased to lay on the table a statement showing, district by district, the amount of agricultural loans and gratuitous relief sanctioned and distributed since January last?

(g) How far have the existing relief operations benefited the poorer middle classes.

*Questions and Answers.***Answer by the Hon'ble Mr. McAlpin:—**

(a) Government have not made any special survey of the nature suggested; for the condition of the population in the province is practically always under survey. It is reviewed in certain fortnightly reports which are furnished to Government, in special local reports which Government have received and in the weekly and monthly weather and crop reports which are published in the *Calcutta Gazette*. A periodical review is also made of the food-stuffs position and prices obtaining in the different districts.

(b) Agricultural loans have been given, where necessary, to relieve the agriculturists who require such advances.

(c) Yes.

(d) All Government employes are not eligible for grain compensation allowance. Government are at present considering whether any extension of the present scheme of grain compensation allowance is necessary or advisable.

(e) A war allowance has recently been sanctioned to all employes of Government drawing more than Rs. 12 and not more than Rs. 50 per month. As has been previously explained in Council, the pay of menials has been already improved.

(f) A statement is laid on the table so far as information is available.

(g) Relief is being afforded to some of the better class poor in the Bankura district and the Brahmanbaria sub-division of the Tippera district."

Statement referred to in the answer by the HON'BLE MR. McALPIN to question No. 23 (Unstarred) asked by the HON'BLE BABU BROJENDRA KISHOR RAY CHAUDHURI at the Council Meeting of the 3rd July, 1919, showing the allotments, district by district, on account of loans and gratuitous relief during the Financial year 1919-20.

Loans.

Districts.	Amounts.
	Rs.
Bankura	4,44,000
Tippera	1,00,000
Rajshahi and Bogra	1,00,000
Bakarganj	60,000
Chittagong Hill Tracts	50,000
Pabna	40,000
Mymensingh	5,000
Burdwan	1,000
Murshidabad	3,000
Total	8,03,000

Gratuitous relief.

Tippera	50,000
Bankura	81,160*

* Amount actually allotted to the end of July, 1919. The amounts are allotted monthly as required.

*Questions and Answers.***By the Hon'ble Maulvi A. K. Fazl-ul-Haq:—****24.**

Is it a fact—

Arbitrary
assessment upon
the members of
certain rural
societies.

(a) that the Sub-divisional Officer of Madaripur was appointed liquidator of certain societies and that he deputed his *peshkar* to make assessment upon the members of Sirkhara, Birangal and Sajandawal Rural Societies; and

(b) that the assessment was made arbitrarily and that the liquidator refused to entertain complaints against the assessment?

Answer by the Hon'ble Mr. McAlpin:—

“(a) The Sub-divisional Officer of Madaripur was appointed liquidator of the Co-operative Societies of Sirkhara, Birangal and Sajandawal. In order to assess the amount to be paid by each member as contribution to the assets of the society according to his ability to pay, it was necessary to have confidential inquiries made about the property of the members. These inquiries were first conducted confidentially by the liquidation clerk, who is also the Sub-divisional Officer's *peshkar*, and were then tested on the spot personally either by the Sub-divisional Officer, or a Sub-Deputy Collector, or an Inspector of Co-operative Societies.

(b) From the above it will appear that the assessment was not made arbitrarily. It is not a fact that the liquidator refused to entertain complaints against the assessment. In one case he revised his original order of assessment when he found that an improvement could be made. In the case of Sajandawal there was an appeal to the District Judge which was dismissed.

It may be noted for the information of the Council that the complaint made by the objectors was against their assessment at more than their individual debts to the society. But, as the societies were concerns with unlimited liability, this was irrelevant.”

By the Hon'ble Maulvi A. K. Fazl-ul-Haq:—**25.**

Small-pox at
Dacca.

Will the Government be pleased to make a statement regarding the recent outbreak of small-pox at Dacca, showing—

(a) the number of seizures and deaths therefrom; and

(b) the special measures taken to prevent the spread of infection and to combat the disease?

Answer by the Hon'ble Mr. Goode:—

“(a) As all cases are not reported and many concealed, the number of seizures cannot be accurately stated, but up to the end of the second week of June, 443 deaths from small-pox were reported.

(b) A copy of the report of Dr. Sufi, Deputy Sanitary Commissioner, on the outbreak at Dacca, is laid on the table.”

Questions and Answers.

Report of Dr. Sufi referred to in the answer by the HON'BLE MR. GOODE to question No. 25 (Unstarred) asked by the HON'BLE MAULVI A. K. FAZL-UL-HAQ at the Council meeting of the 3rd July, 1919.

The following is a brief history of the small-pox epidemic in the Dacca town :—

The first case was reported on the 30th December, 1918, from the mehtars' depôt at Meranjulla. Attempts either to vaccinate the contacts or to segregate the patients failed entirely. The next case with fatal results occurred at Bangshall and was registered on the 1st January, 1919. Six contacts were operated upon but only a few of the neighbours, about 23 in number, could be vaccinated. Some cases were reported on the 12th January, 1919, from the railway staff quarters; 17 contacts were vaccinated and 158 operations were performed amongst the staff. A few cases occurred shortly after in the neighbouring quarters and 12 vaccinations were performed in the Agasadak Bazar. Altogether 4 deaths were recorded during this month, while 530 primary and 570 re-vaccinations were performed by the 4 permanent vaccinators. A warning notice was circulated by the Health Officer at this stage explaining to the public the necessity of taking vaccination.

By the second week of February the disease had become epidemic and scattered throughout the town. One additional vaccinator was appointed on the 20th February. Free vaccination by house-to-house visitation was notified on the same date. Two thousand six hundred and eighty-four operations (787 primary and 1,897 re-vaccinations) were performed in this month and 53 deaths were recorded.

On the 18th March, 1919, the Health Officer issued a circular letter to the schools requesting the authorities "not to allow any student to attend school in whose residence a patient has been suffering from small-pox until the house is declared by the Health Department to be free from infection". On the same date the Health Officer issued another circular letter recommending re-vaccination of students and closure of schools and colleges as early as possible if there be no serious objection. The vaccination staff was also strengthened by the addition of 4 male and 1 female vaccinators, thus bringing up the total strength to 10 operators. A systematic survey which was made on the 14th March under the direct supervision of the Health Officer proved the existence of 325 cases on that date, but after making allowances for the concealed cases, the number may be fairly assumed to be about 400 or at the highest 500.

Disinfection of the houses and of the patients' bedding and clothing was also performed while the main streets and the lanes of the infected areas were watered twice a day. Hackney-carriages used by patients were also directed to be disinfected. For information, the Health Officer depended upon the vaccinators, the municipal out-door officers and medical practitioners who were supplied with printed post cards for this purpose. Patients were treated at the Mitford Hospital where arrangements were very satisfactory.

Such was the state of affairs when I arrived at Dacca on the 23rd March, 1919. I very soon discovered that there was a panic in the town, that the staff of vaccinators was quite inadequate to cope with the emergent conditions, that even Government officials had to wait for even 3 or 4 days before they could secure the services of a vaccinator, and finally that the Health Officer had no organized means at his disposal of getting information as to the number of fresh attacks. Somehow or other those in charge had failed to grasp the situation at the very commencement and now the disease having spread to every quarter of the town it was impossible to restrict the area of its invasion.

Questions and Answers.

At my suggestion the Commissioners at their meeting held on the 25th March, 1919, sanctioned the raising of the strength of the staff to 25 male and 3 female vaccinators, placing 15 vaccinators to work under the 15 Municipal Commissioners and the remaining 10 male and 3 female vaccinators under the direct orders of the Health Officer. Trained hands being unavailable probationers were engaged and trained. The number of the men on disinfection duty was also increased; they were divided into three batches, and each batch was placed under a Sanitary Inspector. Better arrangements were made at the instance of the Health Officer for flushing pucca drains and clearing kutcha drains and for watering more roads than previously. The Chairman also promised me to award As. 4 to every informer of a small-pox case after verification, but I am afraid it was not found possible for some reason or other to translate the promise into action as shown by the fact that the column for fresh attacks in the weekly small-pox statement was always left blank.

Judging from the weekly reports received it appears that the epidemic is gradually getting down and that the number of weekly operations performed is satisfactory, considering the atmospheric conditions.

M. E. SUFI.

CALCUTTA,

The 27th May, 1919.

By the Hon'ble Maulvi A. K. Fazl-ul-Haq:—

26.

Influenza in
Dacca Jail.

(a) Is it a fact that influenza has recently broken out in an epidemic form in the Dacca Jail?

(b) If so, are the Government in a position to state the causes thereof?

Answer by the Hon'ble Mr. Kerr:—

"The Hon'ble Member is referred to the answer to the question put on this subject by the Hon'ble Babu Brojendra Kishor Ray Chaudhuri."

By the Hon'ble Maulvi A. K. Fazl-ul-Haq:—

27.

Block of
promotion in
the Bengal
Secretariat.

(a) Is it a fact that there is a considerable block in promotion both in the upper and lower grade of clerkships in the Bengal Secretariat, especially in the lower grade?

(b) If so, will the Government please state what steps are being taken to remove the block?

(c) Will the Government be pleased to state how many extensions in the two grades have been given during 1912-19 (March)?

(d) Is it a fact that there is proportionately a larger number of clerks in the lower grade in the Financial and Public Works Departments than in other departments?

(e) If so, will the Government be pleased to state the reason for this?

*Questions and Answers.***Answer by the Hon'ble Mr. Payne:—**

"(a) There is no block in the upper grade. There is alleged to be a block in the lower grade.

(b) Government are examining the question and are considering the possibility of replacing the present graded scale by a time scale.

(c) Six extensions in the lower grade and fifteen in the upper grade have been given during the period.

(d) Yes.

(e) The relative strengths in the upper and lower grades in a department are decided on the amount of work in it suitable for the employment of upper and lower grade assistants respectively."

By the Hon'ble Babu Akhil Chandra Datta:—

28.

(a) Are the Government aware that the Government of Bombay have decided that war allowances should be granted to school teachers in Government employ with effect from the 1st February, 1918?

Grant of war allowances to Government school teachers.

(b) Are the Government considering the desirability of granting similar war allowances to school teachers in Government employ in Bengal?

Answer by the Hon'ble Mr. Payne:—

"(a) Government are aware of this fact.

(b) A copy of Finance Department memorandum No. 6242 F., dated the 12th June 1919, sanctioning war allowances to officers of Government drawing a salary of over Rs. 12 but not more than Rs. 50 is laid on the table."

Copy of Finance Department Memorandum referred to in the answer by the Hon'ble Mr. Payne to question No. 28 (Unstarred) asked by the Hon'ble Babu Akhil Chandra Datta at the Council meeting of 3rd July, 1919.

No. 6242 F., dated Calcutta, the 12th June, 1919.

Memo by—The Hon'ble Mr. C. F. PAYNE, I.C.S., Secretary to the Government of Bengal, Finance Department.

With a view to affording some measure of relief to all Government servants (including police officers) drawing over Rs. 12 and not more than Rs. 50 a month the Government of India have been pleased to sanction the proposals of this Government for the payment of a special monthly war allowance at the following rates:—

						Rs. A.
Officers drawing over Rs. 12 and not more than Rs. 20 a month ...						1 0
Ditto	Rs. 20	ditto	Rs. 30	ditto	...	1 8
Ditto	Rs. 30	ditto	Rs. 40	ditto	...	2 0
Ditto	Rs. 40	ditto	Rs. 50	ditto	...	2 8

2. These orders will take effect from the 1st April, 1919, and will be in force until six months after the *official* termination of the war.

*Questions and Answers.***By the Hon'ble Babu Akhil Chandra Datta:—****29.**

Accommodation
in certain
steamers for
inter-class female
passengers.

(a) Are the Government aware that the inter-class female compartments in the steamers of the India General Navigation and Railway Company and Rivers Steam Navigation Company plying between Goalundo, Chandpore and Narayanganj are very unsuitable?

(b) Are the Government also aware that in these steamers—

(i) there is no cabin provided, but that a portion of the space which was originally used as a hospital is partitioned from the rest of the deck only by a *purdah*;

(ii) a portion of the compartment is used as a hospital and also as an office for the transhipment staff;

(iii) the female compartment and the said office are not partitioned off properly and the female passengers are exposed to the view of the staff;

(iv) there is no bath-room attached to the compartment and the female passengers have to walk through crowds of third-class male passengers along the deck to the lower deck where they have to use the bath-room provided for the third-class male passengers;

(v) the accommodation of this bath-room is inadequate in consideration of the usual number of passengers;

(vi) there is no wire-netting by the side of the compartments, there being only a canvas protection, the bottom of which is in places usually worn out, rendering the compartment unsafe for children; and

(vii) no seats of any description are provided in these compartments?

(c) Is it a fact that the inter-class fare in these steamers is double that of the third class?

(d) Are the Government considering the desirability of taking such steps as they think fit for the removal of the grievances referred to in the fore-going questions?

Answer by the Hon'ble Mr. Cowley:—

(a) Government are aware that complaints have been made regarding the accommodation provided for inter-class female passengers.

(b) (i) and (ii) No cabin is provided for inter-class female passengers. The space set aside for the purpose has not been proved to be unsuitable.

(iii) The compartment is partitioned off from the office portion by a wooden or canvas partition to a height of about 5 feet and wire-netting from above this to the roof. A *purdah* is also supplied to cover the wire-netting so that there may be absolute privacy on either side.

(b) (iv) and (v) The Steamer Companies do not consider it desirable or feasible to arrange latrine accommodation for inter-class females in the space allotted to them on the upper deck. Steps are being taken to improve the latrine accommodation existing on the main deck.

(vi) On some of the vessels wire-netting is provided; on canvas-fitted steamers steps are being taken to fit wire-netting so as to ensure safety.

(vii) No seats are provided; experience shows that the passengers ordinarily prefer to sit or lie on their own mats or rugs.

(c) Yes.

(d) The attention of the Steamer Companies will be invited to the complaints which have been made."

*Questions and Answers.***By the Hon'ble Babu Akhil Chandra Datta:—****30.**

(a) Are the Government aware that in the steamers of the India General Navigation and Railway Company and the Rivers Steam Navigation Company plying between Goalundo, Chandpore and Narayanganj—

Accommodation in certain steamers for third class female passengers and second-class passengers.

- (i) the accommodation for third-class female passengers has been provided in a place very near the funnel and that this space remains hot all the time the steamers run, and even the deck is uncomfortably hot;
- (ii) there is no provision for seats of any description; and
- (iii) there is no bath-room attached to the third-class female compartments?

(b) Are the Government also aware that—

- (i) the accommodation for second-class passengers in the above mentioned steamers is inadequate and poor;
- (ii) there is no provision for proper ventilation in the cabins;
- (iii) there is no other furniture in the compartment except a bedstead;
- (iv) there is no deck for the second-class passengers, and they are not allowed to use the deck provided for the first-class passengers; and
- (v) the second-class fare is considerably more than half of the first class and more than double that of the inter-class?

(c) Are the Government aware of the feeling that exists that the difference of fare between the first and the second class is out of all proportion to the comforts provided for the two classes?

(d) Are the Government aware that the sweetmeat stalls in the said steamers are let out to the highest bidder, who again sublets them to others at exorbitant rents, and that the latter sell bad sweetmeats at a high price?

(e) Are the Government also aware that the sub-contractor is compelled to purchase articles from such shops as are selected by the contractors and that this results in the sale of bad articles at higher prices than the usual market price?

Answer by the Hon'ble Mr. Cowley:—

“(a) (i) Separate accommodation for third-class female passengers has been recently provided in some 40 vessels. The position of the accommodation has not been found unsuitable, but all enclosed spaces are warmer than the open deck.

(ii) Seating accommodation is not provided for third-class passengers.

(iii) It is not possible to arrange latrine accommodation for third-class female passengers in the space allotted to them on the upper deck.

(b) (i) to (iv) The second-class accommodation is somewhat inadequate, and in view of the increasing number of passengers travelling by these vessels in that class, the question has been duly considered in the designs for the proposed new steamers for the Padma service. Inquiries are being made as to what improvements, if any, can possibly be carried out in respect of the provision of additional furniture and ventilation in the cabins of the existing vessels.

(b) (v) The second-class fare is double the inter-class fare.

(c) Government have no information on the subject.

(d) and (e) The Steamer Companies' Messing Department have recently taken into their own hands the management of the sweetmeat stalls on some of the steamers of the Barisal service; should this prove to be the success which is anticipated, the arrangement will be extended to the Padma services, with results which, it is hoped, will prove satisfactory to the travelling public.”

*Questions and Answers.***By the Hon'ble Babu Akhil Chandra Datta:—****31.**

Action of
military in
recent Calcutta
disturbances.

(a) Will the Government be pleased to state whether any inquiry was initiated by the Government to ascertain if the military transgressed the law and exceeded the limits of their power during the recent disturbances in Calcutta?

(b) If so, will the Government be pleased to state the nature and the mode of inquiry and to lay the report on the table?

(c) Are the Government aware that there is an impression that the soldiers used greater force than was warranted by the situation and by the law?

(d) Have the Government ascertained whether there is any foundation for such an impression?

(e) Are the Government considering the desirability of appointing a mixed committee of officials and non-officials to inquire whether the action of the military was justifiable during those disturbances?

Answer by the Hon'ble Mr. Kerr:—

"Government have received full reports on the disturbances and are satisfied that the police and the troops behaved with forbearance, and that there is no ground for the suggestion that they used greater force than was warranted by the situation or by the law. Government do not propose to lay any papers on the table or to institute further inquiries."

By the Hon'ble Babu Akhil Chandra Datta:—**32.**

Report on the
education of
Hindu girls.

(a) Will the Government be pleased to lay on the table the report submitted on the 31st March, 1916, by the Committee which was appointed by the Government of Bengal, with Sir Ashutosh Mukherjee as President, for the purpose of advising the Government as to the future organisation for the education of Hindu girls?

(b) Have the Government issued any resolution upon the said report? If so, will they be pleased to lay the resolution on the table?

(c) What action (if any) has been taken by the Government to give effect to the recommendation of the said Committee?

Answer by the Hon'ble Mr. Goode:—

"(a) and (c) The Hon'ble Member is referred to the reply given to unstarred question No. 15 asked by the Hon'ble Babu Brojendra Kishor Ray Chaudhuri. Detailed proposals for a Calcutta *Purdah* School have been received from the Director of Public Instruction and are now under consideration."

(b) Government did not record any resolution on the report."

*Questions and Answers.***By the Hon'ble Babu Akhil Chandra Datta:—**

33.

(a) Will the Government be pleased to lay on the table a statement showing—

Manufacture of
salt in
Chittagong.

(i) the entire preventive staff which was required of Mr. P. C. Das of Cox's Bazar who applied for permission for the manufacture of salt; and

(ii) the special staff which has been employed by Mr. Glen George for the purpose of supervising the manufacture of salt in the district of Midnapore together with the date of their employment and their pay?

(b) Has Mr. Glen George executed any deed of agreement as to the conditions upon which sanction has been accorded to him to manufacture salt? If so, what is the date of the deed?

(c) Will the Government be pleased to lay on the table all papers and orders in connection with the prayers of Mr. Glen George, Mr. P. C. Das, Babu Surendra Chandra Ghosh, Babu Mohendra Chandra Ghoshal and others in the district of Chittagong for permission to manufacture salt?

(d) Will the Government be pleased to describe fully the conditions upon which permission has been given to Mr. Glen George?

(e) Is he employed in any other capacity under the Government anywhere else?

Answer by the Hon'ble Mr. Payne:—

"(a) (i) Mr. P. C. Das prayed that the rules regarding the entertainment of extra preventive staff might in his case be dispensed with, as he considers that the staff ordinarily employed in the Cox's Bazar sub-division was sufficient during the initial stage of his scheme. Government were unable to accept this view, but the question of what preventive staff was necessary in connection with his scheme did not therefore arise.

(ii) It has been decided by Government to employ the following establishment in this connection and to realise from the firm such portion of the cost thereof as exceeds 5 per cent. of the duty levied:—

				Rs.
1 inspector on	...	...	...	100 per mensem.
2 sub-inspectors on	...	...	...	50 each per mensem.
1 petty officer on	...	...	...	12 per mensem.
1 peon on	...	...	...	12 " "
3 peons on	...	...	...	11 each per mensem.
6 peons on	...	...	...	10 " "

This staff will be employed as soon as the manufacture of salt commences.

(b) No deed of agreement was executed, but a license, dated the 2nd October, 1918, has been granted to Mr. Glen George containing the conditions under which he, or his assignee, may manufacture salt.

(c) The Hon'ble Member is referred to the answer given to question No. XXXVI (d) on the 19th February, 1918. Copies of the original applications of Mr. P. C. Das and Mr. Glen George are laid upon the table. Copies of Government order No. 2945-S.R., dated 22nd December, 1917, dealing with the applications from Chittagong, of Government order No. 1136, dated 19th April, 1918, dealing with the application of Mr. Das, and of Government order No. 137-T.—S.R., dated 2nd October, 1918, dealing with the application of Mr. Glen George, are laid upon the table. Government are not prepared to lay other papers upon the table.

(d) A copy of the license granted to Mr. Glen George is laid upon the table.

(e) He is not employed under Government in any capacity."

Questions and Answers.

Copy of original application of Mr. P. C. Das for the manufacture of salt at Cox's Bazar.

Dated, Cox's Bazar, the 2nd February 1918.

From—P. C. DAS, Esq., Retired Sub-Deputy Collector, Cox's Bazar,
To—The Collector of Chittagong.

(Through the Inspector of Excise and Salt, Cox's Bazar).

I HAVE the honour to solicit your favour of granting me a permit to manufacture salt locally for sale to the people of Cox's Bazar subdivision for local consumption on payment of the usual duty.

2. I am ready to open a godown where the manufactured salt will be stored and duty levied according to the rules.

3. As the attempt is quite a new and experimental one, the rules about the entertainment of extra preventive staff may be dispensed with, till such time as the project does not appear sufficiently useful and matured. The present staff of the preventive officers may be considered sufficient for the purpose at present.

4. If you are pleased to grant me the permit on the above condition, I may be informed of the order, so that I may be able to start with the preliminaries at once.

Copy of original application of Mr. Glen George for the manufacture of salt in Bengal.

PROPOSAL FOR THE MANUFACTURE OF SALT IN THE CONTAI SUBDIVISION OF THE MIDNAPORE DISTRICT.

Dated Calcutta, the 22nd April 1918.

From—GLEN GEORGE, Esq., Chief Mining Engineer to Messrs. Andrew Yule & Co.,

To—The Secretary to the Government of Bengal, Financial Dept.

I BEG to address you on the subject of the manufacture of salt in Bengal. You are, of course, aware of the relative difficulty in obtaining supplies of imported salt compared with those available in pre-war times, and also of the causes which have led to the strong preference of the population of Bengal for the white imported salt as against the brown Madras salt. In view of the existing shortage of freight which is certain to continue for five or more years after the declaration of peace, there will evidently be a great market for a salt which, manufactured in India, will be equal in quality to the white imported salt.

The ordinary methods of manufacture obtaining in Madras are not likely to be successful at the head of the Bay of Bengal owing to the humidity and the length of the monsoon season. I propose, therefore, a method of which the final step will be evaporation in multiple effect evaporators. As this is the final stage in the manufacture of Liverpool salt, whatever may be the financial results, a salt equal in quality to Liverpool salt will certainly be produced.

The earlier stages in the proposed method are of a technical nature, but their effect is to overcome the difficulty in regard to the humidity and the shortness of the season.

I have recently personally investigated the salinity of the sea at a site near Contai and found the salinity sufficient: in fact, it is that of ordinary sea-water at this season. During the five monsoon months the salinity may be low, but storage of concentrated brine will enable the factory to work continuously.

Questions and Answers.

You will doubtless recollect an application made by me to the Madras Government for a site and salt license in the Ganjam district. The methods proposed there are merely improved Madras methods requiring no coal. The syndicate I represent is strongly of opinion that in addition there is room for a factory near Calcutta on new lines which can make salt identical to Liverpool salt.

The syndicate which I represent is prepared to put up a salt factory at Contai on my proposed lines and to find the capital necessary, which will be five to six lakhs.

We ask for no financial assistance or special terms, but merely a lease of the site, which I have ascertained to be on Government khas land, and the sympathy of your Government with the proposal. I beg, therefore, to enquire whether the Government of Bengal will be prepared to grant me a license to manufacture salt from sea-water on a site, particulars of which will be sent in to the Board of Revenue near Contai.

Copy of Government order dealing with applications from Chittagong for the manufacture of salt.

No. 2945-S.R., dated Calcutta, the 22nd December, 1917.

From—The HON'BLE MR. J. DONALD, M.A., C.I.E., I.C.S., Secretary to the Government of Bengal, Financial Department,

To—The Commissioner of the Chittagong Division.

I AM directed to acknowledge the receipt of your letters noted in the margin, forwarding applications from certain salt merchants in Chittagong for permission to manufacture salt locally. In view of the high prices of salt prevailing in Chittagong, at present you recommend that the proposal for the local manufacture of salt may be sanctioned at an early date.

2. In reply, I am to enclose a copy of a note recorded by the Commissioner of Excise and Salt, stating the result of inquiries made by him during his recent visit to Chittagong, and to say that before taking steps towards the removal of the prohibition on salt manufacture in Chittagong which now subsists, the Governor in Council desires to have detailed proposals giving information on the points raised in the note together with a draft of the rules necessary to regulate manufacture. The Collector of Chittagong should correspond direct in this matter with the Commissioner of Excise and Salt, who will submit proposals for the orders of Government. But the matter should be dealt with promptly, and an early decision arrived at, whether anything is practicable or not in the direction of local manufacture.

3. With regard to the last paragraph of the Excise Commissioner's note, I am to invite your attention to the recent Press *Communiqué* (copies enclosed) issued by Government on the subject of the supplies of salt, and to request that the information given therein may be communicated to the dealers in Chittagong with a view to arrangements being made for the import of salt from Madras by brigs.

Copy of Government order dealing with Mr. P. C. Das's application for the manufacture of salt.

Dated Calcutta, the 19th April 1918.

From—The HON'BLE MR. J. DONALD, M.A., C.I.E., I.C.S., Secretary to the Government of Bengal, Financial Dept.,

To—The Commissioner of Excise and Salt, Bengal.

I AM directed to acknowledge the receipt of your letter No. 243 E., dated 10th April 1918, with which you submit copies of two petitions from

Questions and Answers.

Mr. P. C. Das, retired Sub-Deputy Collector, Cox's Bazar, asking for permission to manufacture salt, experimentally from salt earth and sand and saline ashes for a period of six months on payment of duty, and in reply to say that, in the circumstances stated in your letter Government are unable to grant the permission asked for by the petitioner. I am to request that, the petitioner may be informed that Government are unable to agree to proposals which do not provide for adequate supervision over the processes of manufacture and that this can only be effected by the employment of special staff.

Copy of Government order dealing with the application of Mr. Glen George for the manufacture of salt.

No. 137 T.—S. R., dated Darjeeling, the 2nd October 1918.

From—H. P. V. TOWNEND, Esq., I.C.S., Under-Secretary to the Government of Bengal, Financial Department,

To—GLEN GEORGE, Esq., Chief Mining Engineer to Messrs. Andrew Yule & Co.

With reference to the correspondence ending with your letter, dated the 25th July 1918, I am directed to say that the Governor in Council is pleased to accept the scheme for the establishment of a factory for the manufacture of salt within the Contai subdivision of the district of Midnapore, and to authorize you to manufacture the said commodity in the factory subject to the terms and conditions specified in the license enclosed herewith. You are also authorized to assign the license, now granted to you, to the company to be formed and called the Chemical Industries, Limited, on condition that the assignees agree to the terms and conditions of the license.

2. With reference to condition (2) of the license, I am to explain that Government have no wish to hamper your enterprise by impossible conditions, but that they must retain the right to safeguard Government revenue accruing from salt manufactured in the factory if any of the conditions prove to be defective.

Copy of license granted to Mr. Glen George.

No. 138 T.—S. R., dated the 2nd October 1918.

Copy, with a copy of the license, forwarded to the Commissioner of Excise and Salt, Bengal, for information and necessary action.

License for the manufacture of salt.

Mr. Glen George of Disergarh in the district of Burdwan is hereby authorized by the Government of Bengal to manufacture salt within the Contai subdivision of the district of Midnapore on the following conditions :—

Conditions of license.

(1) The licensee, his agents and servants, shall be bound by the provisions of the Indian Salt Act, 1882 (XII of 1882), and by all rules relating to the manufacture of salt and for the issue of salt from licensed premises which may, from time to time, be prescribed under the said Act by the Government of India.

(2) This license shall remain in force for one year from the date on which it is granted :

Provided that during a period of nineteen years next thereafter the licensee, if he has duly observed the conditions of his license in force, shall have the option to have the license renewed for one year at the end of each successive year subject to such modifications of the conditions of his license in force as may be prescribed by the Government of Bengal at the time of each renewal after considering any suggestions or objections made with regard thereto by the licensee.

Questions and Answers.

(3) The licensee shall make a deposit of Rs. 1,000 in advance as security for the due observance of the conditions of this license and shall execute a bond pledging the premises and all apparatus and utensils employed in the manufacture of salt, for the due discharge of all payments which may become due to Government. In lieu of executing such a bond, the licensee may deposit Government promissory notes of such value as the Commissioner of Excise and Salt, Bengal, may direct.

(4) The licensee shall, before commencing the manufacture of salt, submit, for the approval of the Commissioner of Excise and Salt, Bengal, a plan and description in writing signed by himself of all structures, buildings and rooms within the boiling and drying house compound, specifying the purpose for which each is to be used. No alteration of, or addition to, the boiling and drying house compound or any building or room intended for the manufacture, drying, storage, handling or weighment of salt therein shall be made without the written permission of the officer in charge, provided that the latter in important matters may require the permission of the Assistant Commissioner to be obtained through him.

(5) The boiling and drying house compound shall be surrounded by a wall to the satisfaction of the Commissioner of Excise and Salt, Bengal, with only one passage, and it shall be properly secured against the issue of salt, except by the passage so provided.

(6) The place intended for the storage of salt before weighment shall be within the boiling and drying house compound. It shall be securely fenced to the satisfaction of the Commissioner of Excise and Salt, and in the fence there shall be a single gate.

(7) The structures, buildings and rooms in the boiling and drying house compound and the surrounding wall shall be kept in good repair to the satisfaction of the Assistant Commissioner.

(8) The licensee shall construct and maintain at his own expense suitable quarters to the satisfaction of the Commissioner of Excise and Salt, Bengal, and shall let them out at such rents as the Public Works Department may consider reasonable for the accommodation of the officer in charge and other establishment required for supervision. He shall also provide a suitable office-room within the boiling and drying house compound for the officer in charge with such furniture as may be required for use therein.

(9) The licensee shall have, on the outside of the door of every building or room in the boiling and drying house compound, a name painted legibly in oilpaint indicating the purpose for which such building or room is intended to be used.

(10) The licensee shall give at least fifteen days' notice in writing to the Assistant Commissioner of the date on which he proposes to commence manufacturing salt and at least one month's notice before he ceases to manufacture any salt.

(11) In case the licensee shall cease manufacturing or issuing salt for a period exceeding one month, the Commissioner of Excise and Salt, Bengal, may withdraw the establishment stationed at the factory and may prohibit all further manufacture and issue of salt until the licensee has given him fifteen days' notice in writing of the date on which he proposes to recommence operations.

(12) The licensee shall pay into the Bank of Bengal in advance such sum as will be sufficient to pay the duty on any salt that may be manufactured at any time, and the licensee shall not manufacture any salt unless the duty payable in respect of it has been paid by him in advance.

(13) The manufacture of salt shall be carried on only in the place or building specified for the purpose by the terms of clause (4) of these conditions.

(14) The licensee shall not cause any salt to be formed in any place outside the boiling and drying house compound, and he shall destroy such salt if accidentally formed.

(15) The salt manufactured shall contain not less than 91 per cent. sodium chloride and not more than 3 per cent. of magnesium salt. Any salt which does not conform to these requirements shall be destroyed by the licensee.

(16) The licensee shall, at all times, allow samples of salt not exceeding one seer in weight each to be taken by the officer in charge for submission to the Chemical Examiner for Customs and Excise for analysis.

(17) All salt manufactured shall be removed from the boiling and drying house either direct to the place of weighment or to the place of storage and thence to the place of weighment in such manner as may be prescribed by the Commissioner of Excise and Salt, Bengal.

(18) All salt weighed on any day shall, after such weighment and check weighment (if any), be removed from the boiling and drying house compound on that day in such manner as may be prescribed by the Commissioner of Excise and Salt, Bengal.

(19) No salt shall be presented for weighment after 5 P.M., unless the licensee desires the weighment to go on after that hour and makes proper arrangements to the satisfaction of the Commissioner of Excise and Salt, Bengal, for lighting the boiling and drying house compound and the entrance thereto.

(20) The weighment of salt shall be carried on under the supervision of the officers of the Excise and Salt Department with the scales provided by Government for the purpose, in such manner, and at such times, as the Commissioner of Excise and Salt, Bengal, may from time to time direct.

Questions and Answers.

(21) Save under a pass granted by a salt revenue officer of or above the rank of a Sub-Inspector of Excise and Salt, the licensee shall not remove any salt from the boiling and drying house compound, nor shall the officer in charge grant a pass for the removal of any salt which has not been duly weighed.

(22) The licensee shall provide, at his own expense, sufficient establishment (other than the establishment referred to in clause 28) for the weighment and issue of salt and all work connected therewith.

(23) No operation connected with the storage, weighment or issue of salt shall ordinarily take place on Sundays and on holidays prescribed by the Commissioner of Excise and Salt, Bengal.

(24) When the manufacture of salt is carried on at night and at all times when a Government officer is not present in the boiling and drying house compound, the gates shall remain locked, provided that on Sundays and on prescribed holidays the registered servants of the licensee may be allowed ingress and egress between sunrise and sunset.

(25) The licensee shall so arrange his operations on working days that no excise officer need be on duty for more than eight hours *per diem*.

(26) If an excise officer has to work more than eight hours on any ordinary working day or on Sundays or prescribed holidays, the licensee shall pay such overtime fees as may be prescribed by the Commissioner of Excise and Salt, Bengal.

(27) The licensee shall keep accurate accounts which shall be written up daily showing such particulars as may, from time to time, be prescribed by the Commissioner of Excise and Salt, Bengal, and shall produce the same for inspection whenever required by the officer in charge or any other officer of the Excise and Salt Department not below the rank of a Sub-Inspector.

(28) Subject to the directions of Government, the Excise Commissioner may employ at the factory and place of storage such establishment for the purpose of guarding the salt and realizing the revenue thereon as he considers necessary, and the licensee shall pay each month so much of the expenditure incurred by Government on the establishment so employed as may exceed 5 per cent. of the duty levied on the salt manufactured in the factory and issued therefrom for consumption during the preceding month.

(29) The licensee shall not have any pecuniary transaction of any kind whatever with any of the officers of the Excise and Salt Department.

(30) The licensee shall allow the officers of the Excise and Salt Department free access to all parts of the factory and shall afford all reasonable facilities for any investigation that they may desire to make.

(31) Except with the permission of the Commissioner of Excise and Salt, Bengal, the officer in charge or a superior officer of the Excise and Salt Department, no one except superior officers of other Government departments, the licensee, his agents or his employees authorized for the purpose shall be allowed to enter the boiling and drying house compound. A register shall be kept of the names of all persons employed by the licensee, and all authorized employees shall be supplied with passes for ingress and egress.

(32) The officer in charge of the factory may eject or exclude from the premises any person who, in his opinion, has committed, or is about to commit, any breach of these conditions or of the provisions of the Indian Salt Act, 1882, or any rules made thereunder, or who shall be intoxicated, riotous or disorderly.

(33) If it comes to the knowledge of the licensee that any person employed by him in the manufacture, storage or issue of salt has committed any breach of the provisions of the Indian Salt Act, 1882, or any rules made thereunder, or of the engagements entered into by him, he shall forthwith report the matter to the officer in charge and comply with the directions of that officer respecting the continued employment of such person.

(34) In case of any breach or attempted breach of the conditions of this license by the licensee or any person in his employment, the Commissioner of Excise and Salt, Bengal, may impose on the licensee a fine not exceeding the sum of Rs. 50 for every breach or attempted breach of such conditions or, at the option of the said Commissioner of Excise and Salt, Bengal, may declare the money, if any deposited by the licensee, forfeited and may cancel the license.

(35) It shall be lawful for the Commissioner of Excise and Salt, Bengal, to deduct the amount of fines imposed under the last preceding condition from the amount deposited by the licensee as security for the due performance of the conditions of this license, and for this purpose the Commissioner of Excise and Salt, Bengal, may sell all or any of the Government promissory notes or stock notes deposited or of the property hypothecated.

(36) The licensee shall, within fifteen days from the date of receipt of a notice from the Commissioner of Excise and Salt, Bengal, informing him of any deduction made from his security deposit for the due performance of his engagement, replace the amount so deducted from the said deposit.

(37) The imposition of a fine or forfeiture of deposit or the cancellation of the license under condition (34) shall not be held to preclude the prosecution of any person for any offence which he may have committed, or attempted to commit, against the provisions of the Indian Salt Act, 1882, or any other law for the time being in force relating to salt revenue.

Questions and Answers.

(38) (a) All sums due by the licensee to Government may be recovered from the amount of deposit made by him or by sale of the factory premises, machinery and other things pledged under the bond mentioned in clause (3).

(b) On the expiry of the license either on account of expiry of the term or on account of cancellation or suspension, the Commissioner of Excise and Salt, Bengal, may take over, or permit the successor of the licensee to take over, the balance of salt in the boiling and drying house compound at cost price or may require the licensee forthwith to remove such salt on payment of full duty.

(c) If the licensee shall fail so to remove all salt within ten days of the receipt of written notice from the Commissioner of Excise and Salt, Bengal, the cost of any establishment which it may be necessary to employ at the factory may be recovered from the licensee, and if he shall fail to do so, within one month, the salt shall be liable to forfeiture at the discretion of the said Commissioner of Excise and Salt, Bengal.

(39) The licensee may, with the approval of the Government of Bengal, assign his license to any company or firm on condition that the assignee agrees to the terms and conditions of this license.

J. A. L. SWAN,

Offg. Secretary to the Government of Bengal.

By the Hon'ble Babu Akhil Chandra Datta:—

34.

(a) Will the Government be pleased to state whether it is a fact that Government have received representations from ministerial officers of several executive and judicial offices of the Province praying for increment of pay on the ground of the high prices of all the necessities of life? High prices and increment of pay of ministerial officers of executive and judicial offices.

(b) Is it a fact that the present scale of pay of ministerial officers was fixed in West Bengal districts in 1906 and in East Bengal districts in 1911, upon the recommendation of the different committees appointed to submit schemes, among other matters, for revision of the rates of pay of ministerial officers, and that the committees recommended the present scale of pay on the basis of the costs of living prevailing at about the time of the revision?

(c) Will the Government be pleased to state whether after the last revision, any increment of pay was granted to ministerial officers owing to the abnormal rise in the price of the necessities of life? If so, what increment was granted and for what periods?

(d) Is it a fact that increments have been granted to officers in the Post and Telegraph Departments of the Government of India and some State Railways on the ground of high prices?

(e) Will the Government be pleased to state to what extent the cost of living has increased in 1919, as compared with the years 1906-1911, and what action the Government are taking to raise the pay of the ministerial officers to ease the situation?

Answer by the Hon'ble Mr. Payne:—

“(a) Yes.

(b) Yes, but the current cost of living on these dates was presumably only one of other factors considered.

(c) There has been no general revision; recently certain special concessions have been allowed.

(d) Government understand that this is so.

Questions and Answers.

(e) It is not possible to calculate this except separately for different classes of people. Furthermore prices of essential commodities have not uniformly risen. They have fluctuated. The following figures for retail prices are given by the Department of Statistics (the prices are in rupees):—

		1906.	1911.	1918.	1919.
Bengal ...	Rice, per maund ...	4.739	3.719	4.175	6.154
	Arhar dal, per maund	5.144	3.781	6.082	9.897
	Salt, per maund ...	2.718	2.184	4.49	4.81
Calcutta ...	Ghi, per maund ..	43.625	48.0	92.083	98.96
	Vegetables, per maund	4.344	3.062	6.422	6.125
	Mustard oil, per maund	18.5	20.0	24.635	36.67
	Kerosine, per tin ...	2.25	2.375	4.5	4.187

Details of the concessions recently granted were given in a *communiqué* dated the 12th June, 1919."

By the Hon'ble Rai Mahendra Chandra Mitra Bahadur:—

35.

Particulars as to budgetted anti-malarial works and sanitary schemes.

(a) Will the Government be pleased to state the amount of money spent up to date, and the full particulars of the nature of the work done, in connection with the anti-malarial works and sanitary schemes under the specified heads and sub-heads of expenditure, as separately sanctioned and referred to on pages 24 and 25 of the Budget of the Government of Bengal for 1918-19?

(b) Will the whole of the amount under the different heads and sub-heads referred to in clause (a) be spent this year?

Answer by the Hon'ble Mr. Goode:—

"(a) and (b) The Hon'ble Member presumably refers to the Amended Draft Financial Statement for 1918-19 and not the budget for 1918-19. A statement is laid on the library table, of which the last column shows the actual expenditure incurred in 1918-19 out of the amounts provided in the budget.

By the Hon'ble Rai Mahendra Chandra Mitra Bahadur:—

36.

Particulars of certain estates to be benefited by the Amta drainage scheme.

Will the Government be pleased to lay on the table a statement showing—

- (i) the names and full addresses of the holders of estates who will be benefited by the completion of the Amta drainage scheme in the district of Howrah;
- (ii) the *tauzi* number of each of the estates;
- (iii) the amount of land-revenue and cesses payable to Government by each estate; and
- (iv) the total area of the tract affected in each of the estates?

*Questions and Answers.***Answer by the Hon'ble Mr. Goode:—**

“(i), (ii), (iii) and (iv) A statement is laid on the library table. It has been compiled on the basis of the villages affected, but the area benefited does not necessarily coincide with the area included in the boundaries of *mauzas*. This can only be determined with precision when the survey is carried out under section 6 (1) of the Bengal Sanitary Drainage Act, 1895, and the revenue maps relaid.”

Hon'ble Rai Mahendra Chandra Mitra Bahadur:—

37.

Will the Government be pleased to lay on the table a statement showing—

- (i) the names and full addresses of the principal holders of tenures in the tract affected who will be benefited by the completion of the Amta drainage scheme;
- (ii) the names and full addresses of the superior landlords;
- (iii) the total amount of annual rent and cesses payable to the superior landlords by each of the holders of tenures in the tract affected; and
- (iv) the total area of the tract affected in each of the tenures referred to above?

Particulars of certain tenures to be benefited by the Amta drainage scheme.

Answer by the Hon'ble Mr. Goode:—

“(i), (ii), (iii) and (iv) A statement is laid on the library table. It has been compiled on the basis of the villages affected, but the area benefited does not necessarily coincide with the area included in the boundaries of *mauzas*. This can only be determined with precision when the survey is carried out under section 6 (1) of the Bengal Sanitary Drainage Act, 1895, and the revenue maps relaid.”

By the Hon'ble Rai Mahendra Chandra Mitra Bahadur:—

38.

Will the Government be pleased to state whether, in the matter of making appointments of Drainage Commissioners under clause (c) of sub-section (1) of section 3 of the Bengal Sanitary Drainage Act, 1895 (Bengal Act VIII of 1895), for the tract affected in any local area notified by the Government, preference is given in such appointments to the claims of holders of estates over the claims of holders of tenures?

Appointments of Drainage Commissioners.

Answer by the Hon'ble Mr. Goode:—

“The reply is in the negative.”

By the Hon'ble Rai Mahendra Chandra Mitra Bahadur:—

39.

(a) Will the Government be pleased to state the names of the districts in Bengal where the sale of kerosine oil is controlled by the district officer?

Control of kerosine oil.

(b) Will the Government be pleased to lay on the table a copy of the rules (if any) which are in force in the districts of Bengal for controlling the sale of kerosine oil by district officers?

Answer by the Hon'ble Mr. Payne:—

“The Hon'ble Member is referred to the answer given to starred question No *XVII on the Question Paper for to-day's meeting.”

Questions and Answers.

By the Hon'ble Rai Mahendra Chandra Mitra Bahadur:—

40.

Zamindars of
Amta drainage
basin.

(a) With reference to the statement laid on the table in reply to starred question No. 21 on the 4th September, 1917, will the Government be pleased to state whether it is a fact that Babu Kashiswar Mukherjee, of Uttarpara referred to in the said statement sold his *zamindari* right of the land bearing *tauzi* No. 38 under the Collector of Hooghly under a registered Deed bearing No. 2693 for 1914 registered on the 7th August, 1914, in the Calcutta Registration office, for Rs. 1,99,000 to the late Rai Setab Chand Nahar Bahadur?

(b) Is it a fact that the late Rai Setab Chand Nahar Bahadur paid land revenue to the Collector of Hooghly in his own name after the purchase of the estate from Babu Kashiswar Mukherjee in 1914?

(c) Is it a fact that since the death of Rai Setab Chand Nahar Bahadur land revenue and cesses on account of the above estate have been paid to the Collector of Hooghly by his son, Babu Fateh Singh Nahar, of No. 44, Indian Mirror Street, Calcutta?

Answer by the Hon'ble Mr. Goode:—

"(a), (b) and (c) The Hon'ble Member is referred to the answer given to question No. 21 (unstarred) asked by the Hon'ble Babu Brojendra Kishor Ray Chaudhuri."

By the Hon'ble Rai Mahendra Chandra Mitra Bahadur:—

41.

Amta drainage
basin.

(a) Will the Government be pleased to state whether any apportionment of the cost to be incurred in connection with the Amta drainage basin in the district of Howrah is to be realised by the Government from the *patnidar* direct, or from the *zamindar*, as usual?

(b) Are the Government considering the advisability of appointing Babu Fateh Singh Nahar as one of the Drainage Commissioners in connection with the Amta drainage scheme in the district of Howrah, in accordance with the terms contained in order No. 710 L.S.-G., dated the 3rd March, published in the *Calcutta Gazette* of the 5th March, 1919?

Answer by the Hon'ble Mr. Goode:—

"(a) The Hon'ble Member is referred to section 22 of the Bengal Sanitary Drainage Act, 1895, which lays down how the cost is to be realised. As *patnidars* ordinarily pay road-cess through the *zamindars* and not direct to Government, the drainage cess will be realised from *zamindars* unless there is a stipulation in the *patni* lease that they will pay cess direct to Government.

(b) No."

By the Hon'ble Rai Mahendra Chandra Mitra Bahadur:—

42.

Obstructed
drainage in
pargana Moyna
in Tamluk.

(a) Has the attention of the Government been drawn to the condition of the obstructed drainage in pargana Moyna, subdivision Tamluk, in the district of Midnapore, owing to the silting up of the Cossye river?

(b) Are the Government in possession of any memorial submitted to His Excellency the Governor in Council by the people of the affected locality in the middle of June, 1919?

(c) If so, will the Government be pleased to state what steps (if any) they are taking in regard thereto?

*Questions and Answers.***Answer by the Hon'ble Mr. Cowley:—**

"(a) An investigation of the congested drainage conditions of pargana Moyna, subdivision Tamruk, in the district of Midnapore, was carried out in the year 1910. The survey showed that the tract requiring drainage was an extremely low one and that any scheme drawn up under ordinary methods would not be entirely effective except at a prohibitive cost. Two remedial measures were, however, put forward by the Chief Engineer for acceptance by the people interested. These were:—

(i) To throw open two square miles of land at a time to tidal spill so that a deposit of silt on the low area would raise it in the course of time, and the flow back of clear water would scour out the drainage channels and make them effective for draining the remaining area.

(ii) In the alternative, a drainage cut with its outfall at the junction of the Kaliaghye and Cossye rivers.

The Commissioner, to whom the proposals were referred, reported that neither of the schemes found favour with the people interested.

(b) and (c) The memorial in question was not received till the 27th June, 1919; it is at present under consideration."

By the Hon'ble Rai Mahendra Chandra Mitra Bahadur:—

43.

(a) Will the Government be pleased to state why the balances of the current demand of the Gobardanga Wards' Estate in the district of the 24 Parganas were on the increase in the years 1916-17 and 1917-18? Gobardanga Wards' Estate.

(b) Is it a fact that the percentages of collection of the current and arrear demands of the said estate were not satisfactory during the last three years up to 1324 (B. S.)?

(c) Did the collection improve during 1918-19, i.e., 1325 B.S.?

(d) Referring to the figures in column (7), Appendix III of the printed Report of the Ward's Estate for the years 1916-17 and 1917-18, will the Government be pleased to state what was the nature of the inquiry held and by whom, and whether the Deputy Collector in charge of the Wards' Estate or the Collector of the district satisfied himself as to the accuracy of the amounts in question which could not be realised by the responsible officers of the Gobardanga Wards' Estate?

(e) Will the Government be pleased to state what steps they are taking for the better administration of the above estate?

Answer by Hon'ble Mr. McAlpin:—

"(a) The increase in the balances of current demand of the Gobardanga Estate in 1916-17 and 1917-18 was due to exceptional economic conditions caused by the war. The balances have subsequently been reduced.

(b) No.

(c) Yes.

(d) No special inquiry was held. The Collector and Wards' Deputy Collector examine the monthly collection statements submitted by the Manager and satisfy themselves regarding the accuracy of the figures.

(e) Steps are being taken to partition the joint property."

Questions and Answers.

By the Hon'ble Rai Mahendra Chandra Mitra Bahadur:—

44.

Public Works
Department
division for
Damodar basin.

Will the Government be pleased to state—

- (a) what steps, if any, have been taken to give effect to the creation of the special Public Works Department division for the Damodar basin;
- (b) what final arrangements have been made to communicate flood-warnings to the people on receipt of telegrams from the gauge officers at Raniganj and Barakar; and
- (c) what progress, if any, has been made in the excavation of the *Uchi Nala*?

Answer by the Hon'ble Mr. Cowley:—

“(a) A redistribution of the area included within the existing Circular and Eastern Canals and Northern Drainage and Embankment Division is under consideration.

This redistribution is proposed to be effected—

- (i) by the creation of a new division with headquarters at Khulna for which provision has been made in the current year's budget;
- (ii) by alterations in the areas now comprised within the Circular and Eastern Canals Division, and the Northern Drainage and Embankment Division so as to give effect to the Resolution moved by the Hon'ble Member in this Council at the meeting held on Tuesday, the 19th February, 1919, in the terms finally accepted by the Legislative Council. The sanction of the Government of India to the creation of the new division is required, and will be asked for at an early date. At the present time there is no officer available to fill the post of Executive Engineer of the proposed new division, but it is hoped that the new division will be created in November next.

(b) The Hon'ble Member is referred to the answer given in this Council to his starred question No. 10 at the meeting of the 19th August, 1918. No gauge officer is stationed at Barakar, nor is this necessary. The arrangements for the issue of flood-warnings are as given in detail below:—

The gauge reader stationed at Raniganj sends telegrams to the Government officers concerned and also to the Sub-Overseer stationed at Jamalpur. The latter officer communicates the warning to the people interested in the undermentioned manner. One peon proceeds to Berugram, another to Srikristopore and two in turn as directed by the Sub-Overseer down the right embankment, crossing the Damodar at Mohanpur. The Sub-Overseer stationed at Baikantapur on the right bank on receiving instruction from the peons warns the villagers on the right bank. He has also instructions to inform people in important villages and certain specially selected persons. The Raniganj gauge readings are made known to everyone so that in the course of time the people will learn by experience what condition of flood to expect against a level recorded at Raniganj.

(c) Three quarters of the excavation work of the *Uchi Nala* has been completed. It was not possible to complete the whole work before the present monsoon. The outlet from the Sankari *Bil* to the existing *nala* was fully completed last March and has been helpful in draining the spill area.”

*Questions and Answers.***By the Hon'ble Babu Bhabendra Chandra Ray:—****45.**

Will the Government be pleased to make a detailed statement regarding the recurring and non-recurring grants made by the Government of India for education since 1912, showing briefly—

Recurring and non-recurring grants by the Government of India for education.

- (i) the purposes, terms and conditions of each such grant;
- (ii) the amounts credited to provincial funds, year by year, under each such head;
- (iii) the expenditure from each such grant, year by year; and
- (iv) the balance of each grant now in hand, and the reasons for its non-utilization in each case?

Answer by the Hon'ble Mr. Goode:—

“(i), (ii), (iii) and (iv) Two statements, one for recurring Imperial grants and the other for non-recurring Imperial grants sanctioned since 1912-13, are laid on the library table.”

By the Hon'ble Babu Bhabendra Chandra Ray:—**46.**

Will the Government be pleased to lay on the table a statement showing—

Export and import of rice.

- (a) the date on which the Director of Civil Supplies assumed control over export of rice from Bengal;
- (b) the quantities of rice which have since been exported from Bengal—
 - (i) to foreign countries, and
 - (ii) to other provinces in India,
 month by month, as compared with the corresponding figures for the six months immediately preceding his taking over charge;
- (c) the names of firms and individuals that have been granted priority certificates during each of these months, permitting export of rice, and the quantities which were sought to be exported, as compared with those actually permitted to be exported, by each under such certificates;
- (d) the names of firms and individuals that have been refused priority certificates for exporting rice;
- (e) the principles or considerations that govern the granting of priority certificates for export of rice to foreign countries, and the determination of the quantities of rice in respect of which such certificates are granted;
- (f) the quantities of rice that have been imported into Bengal from Burma during each month since the date on which control was assumed by the Director of Civil Supplies over the export of rice, as compared with the corresponding figures for the six months immediately preceding;
- (g) the quantities of the said Burma rice imported into Bengal since the said date of control, that have been absorbed in—
 - (i) Calcutta, and
 - (ii) the other districts of Bengal,
 and how much has been exported to the other provinces; and
- (h) the date from which the wholesale price of Burma rice has been regulated in Calcutta, and how the same has varied, if at all?

*Questions and Answers.***Answer by the Hon'ble Mr. McAlpin:—**

“ A statement as below is laid on the table.

(a) The Director of Civil Supplies, Bengal, does not control the export of rice from this province, exports being controlled by the Food-stuffs Commissioner for India.

(b) The quantities of rice exported from Bengal—

(i) to foreign countries—

(A) during six months before control by the Food-stuffs Commissioner—

					Tons.
May, 1918	...	...	...	...	25,929
June, 1918	...	...	...	...	4,427
July, 1918	...	...	...	...	7,849
August, 1918	...	...	...	...	16,480
September, 1918	...	...	...	...	6,847
October, 1918	...	...	...	...	4,403

(B) during six months after control—

					Tons.
November, 1918	...	...	...	...	14,552
December, 1918	...	...	...	...	18,657
January, 1919	...	...	...	...	16,375
February, 1919	...	...	...	...	13,016
March, 1919	...	...	...	...	8,344
April, 1919	...	...	...	...	7,095

(ii) to other provinces in India—

(A) during six months before control—

				Tons.
Quarter ending 30th June, 1918	...	...	...	83,928
Quarter ending 30th September, 1918	...	...	...	161,755

(B) during six months after control—

				Tons.
Quarter ending 31st December, 1918	...	...	...	159,627
Quarter ending 31st March, 1919	...	...	...	232,421

The figures for individual months are not available.

(c) and (d) It would not be possible to give complete information on the subject, since certificates for the export of Bengal rice are issued not by the Director of Civil Supplies, Bengal, but by the Directors of other provinces for its export into their respective areas. Information regarding Burma rice could be supplied, but that also cannot be done without undue labour and expenditure.

(e) Priority certificates are given for movements by rail only, *i.e.*, for movements inside India. while exports to foreign countries are, it is understood controlled by the Food-stuffs Commissioner through the Collector of Customs.

(f) The quantities of rice imported into Bengal from Burma during the six months—

Questions and Answers.

(i) before the Director of Civil Supplies, Bengal, began licensing—

	Tons.
June, 1918	12,011
July, 1918	1,670
August, 1918	11,820
September, 1918	8,512
October, 1918	12,752
November, 1918	30,132

(ii) after licensing began—

	Tons.
December, 1918	5,982
January, 1919	29,143
February, 1919	48,978
March, 1919	38,106
April, 1919	49,081
May, 1919	42,338

(g) Definite information is not available.

(h) The wholesale prices charged by importers for Rangoon rice have been regulated since 13th December, 1918.

They were reduced by three annas for Big Mills Specials and two annas for other varieties on the 6th January.

They were increased by thirteen annas for all varieties sold c.i.f., and by twelve annas six pies for all varieties sold *ex-godown* on May 28th, 1919.

They were reduced on June 13th by two annas for all varieties loaded in Burma after June 1st.

They were reduced on June 24th by one anna for all varieties loaded in Burma after June 26th.

The rates for Bassein followed those for Rangoon.

Prices for Akyab and Moulmein rice were fixed on the 27th March and 4th April, 1919; new rates for the latter were fixed on May 28th and have been reduced since according to the reduction for Rangoon rice."

By the Hon'ble Babu Bhabendra Chandra Ray:—

47.

With reference to my unstarred question No. 16 of the 21st January, 1919, are the Government reconsidering their decision in the matter as indicated in the reply to the said question?

Opening of stores for the supply of food-grains

Answer by the Hon'ble Mr. McAlpin:—

"The Hon'ble Member is referred to the statement which will be made in connection with the resolutions on the subject."

By the Hon'ble Babu Bhabendra Chandra Ray:—

48.

(a) Have the Government any information regarding the various measures of relief adopted by the different Provincial Governments or Administrations, or the local bodies therein, in connection with the present distress?

Relief measures in connection with present distress.

(b) If so, will the Government be pleased to lay on the table a statement showing the nature of such measures, and how far they have been successful?

*Questions and Answers.***Answer by the Hon'ble Mr. McAlpin:—**

"The Hon'ble Member is referred to the statement which will be made in connection with the resolutions on the subject."

By the Hon'ble Babu Bhabendra Chandra Ray:—

49.

Provincial
Department of
Industries.

(a) With reference to unstarred question No. 9 of the 13th March, 1919, will the Government be pleased to state whether they have forwarded to the Government of India their views regarding the organisation of the Provincial Department of Industries and other matters connected therewith?

(b) If so, will the Government be pleased to publish the same?

Answer by the Hon'ble Mr. Payne:—

"(a) Yes.

(b) The question being still the subject of correspondence with the Government of India and the Secretary of State, the local Government are unable to publish the communication in question."

By the Hon'ble Babu Bhabendra Chandra Ray:—

50.

Resolution
on Local
Self-Government

With reference to unstarred question No. LXII of the 19th August, 1918, and the reply thereto, will the Government be pleased to state whether they have arrived at any decision in regard to the Government of India Resolution on Local Self-Government which was stated in the said reply to be under consideration?

Answer by the Hon'ble Mr. Goode:—

"The resolution of the Government of India has been carefully considered by Government and definite conclusions have been arrived at. Action is being taken with regard to such of the recommendations as can be conveniently given effect to immediately. There are, however, others which cannot be given effect to without recourse to legislation and which, therefore, must wait until it is possible to take up the amendment of the Bengal Municipal Act and Local Self-Government Act."

By the Hon'ble Babu Bhabendra Chandra Ray:—

51.

Bequest of
Mr. B. Pal
Chaudhuri.

In regard to the circumstances referred to in the reply to unstarred question N the 3rd April, 1919, regarding the bequest of Mr. B. Pal Chaudhuri, will the Government be pleased to state what action (if any) they are taking in the matter?

Answer by the Hon'ble Mr. Goode:—

"Government do not propose to take any action. The bequest was made to the District Board of Nadia and it is understood that that body is dealing with the matter."

By the Hon'ble Babu Bhabendra Chandra Ray:—

52.

Supply of
Bengali copies of
Village
Self-Government
Act in rural
areas.

Are the Government considering the desirability of circulating a Bengali translation of the Bengal Village Self-Government Act, 1919 (Bengal Act V of 1919), in the rural areas?

*Questions and Answers.***Answer by the Hon'ble Mr. Goode:—**

"Arrangements are being made to translate the Act into Bengali. When the translation is ready, it will be available for supply to members of Union Committees and other persons in rural areas."

By the Hon'ble Babu Bhabendra Chandra Ray:—

53.

What steps have been taken in pursuance of Government resolution No. 1478-Medical, dated the 31st August, 1917, and Government letter No. 2752-Medical, dated the 18th September, 1917, regarding the desirability of bringing district board dispensaries within easy reach of villages? District board dispensaries.

Answer by the Hon'ble Mr. Payne:—

"The questioner is referred to the answer given to a similar question (unstarred question No. 72) asked by the Hon'ble Babu Siv Narayan Mukharji."

By the Hon'ble Babu Bhabendra Chandra Ray:—

54.

(a) Will the Government be pleased to state the names of persons who have been released from internment "unconditionally," together with the dates of internment and release in each case? Unconditional release of certain internees.

(b) What are the considerations that generally determine such "unconditional" release?

Answer by the Hon'ble Mr. Kerr:—

"(a) and (b) Government are not prepared to give the names asked for. The second part of the question does not permit of a general answer; the form of order passed depends upon the merits of the individual case."

By the Hon'ble Babu Bhabendra Chandra Ray:—

55.

Will the Government be pleased to state the number of visits paid since their appointment by the non-official visitors to each political prisoner and the interval between different visits to each? Non-official visitors to political prisoners.

Answer by the Hon'ble Mr. Kerr:—

"Non-official visits to State prisoners are usually paid monthly, and appear to have numbered 77 to date, though this number is of visits to the jail, which may contain more than one prisoner. In the case of *détenus* the information could not be compiled without undue labour which it is thought unnecessary to undertake."

*Questions and Answers.***By the Hon'ble Mr. H. R. A. Irwin:—****56.**

Revision of the terms of existing risk notes.

(a) Is it a fact that the terms of the risk notes at present in force were drawn up nearly thirty years ago when conditions prevailing in the country were quite different to what they are at the present day?

(b) Are the Government considering the desirability of recommending to the Government of India that the Railway Board be instructed to inquire into the matter with a view to the revision of the said terms?

Answer by the Hon'ble Mr. Cowley:—

"(a) No. The form and terms of risk notes for use by railway administrations working railways to which the Indian Railways Act, 1890 (IX of 1890), applies, are subject to the approval of the Governor General in Council under section 72, sub-section (2), clause (b) of that Act. The forms at present in use are lettered A, B, C, D, E, F, G, H and X, Y. Of these, Forms A, B, C, D, E, F, H and X were revised and the revised forms adopted with effect from the 1st July, 1898. Forms Y and G as an alternative to forms X and D were adopted with effect from the 1st July, 1900, and the 1st February, 1903, respectively. Forms B and H were again subsequently revised and the revised forms brought into use with effect from the 1st April, 1907. Forms D and G were also again revised and the revised forms brought into use with effect from the 1st April, 1909. There has been no further revision of any of the forms since the last date named.

(b) No."

By the Hon'ble Khan Sahib Aman Ali:—**57.**

Expenditure of the Imperial Educational Grant.

(a) With reference to my unstarred question No. XLIX asked at the meeting of Council on the 26th November, 1918, and the reply thereto, will the Government be pleased to state whether they are at present in a position to give the information asked for in the question?

(b) Has the attention of the Government been drawn to the remarks by the Hon'ble Sir Sankaran Nair in the Imperial Legislative Council in the last budget debate of that Council in regard to the expenditure of the Imperial Educational grant of nine lakhs and, if so, what steps (if any) have they taken to expedite the expenditure of this grant?

Answer by the Hon'ble Mr. Goode:—

"(a) The Government of India made a recurring grant of Rs. 9 lakhs in 1917-18 for the improvement of primary and secondary education in Bengal. Proposals for its disbursement are still under discussion with the Government of India and final orders have not yet been received.

(b) The grant of 9 lakhs referred to in Sir Sankaran Nair's speech in the budget debate of March last was for the whole of India. This province received (presumably as its share) a grant of 5½ lakhs in 1918-19 for primary education, the whole of which has been distributed."

By the Hon'ble Khan Sahib Aman Ali:—**58.**

Hot weather charges for Government high schools in the Chittagong division.

(a) Is it a fact that no provision has been made for hot weather charges for Government high schools in the Chittagong division?

(b) If so, are the Government considering the desirability of making provision for this as early as possible?

*Questions and Answers.***Answer by the Hon'ble Mr. Goode:—**

"(a) The reply is in the affirmative.

(b) Necessary funds have recently been placed at the disposal of the Inspector of schools."

By the Hon'ble Khan Sahib Aman Ali:—

59.

(a) Will the Government be pleased to lay on the table a statement showing separately the figures for the last five years of the Education Department as to—

Certain statistics re the Educational Budget Grant, etc., for the last five years.

(i) the surpluses both in recurring and non-recurring grants, under different heads; and

(ii) the items of expenditure, and the heads of allotments of the Imperial grants to this province?

(b) Is it a fact that surpluses have been accumulating in the Educational Budget year after year?

(c) Are the Government considering the desirability of expediting the expenditure of these surpluses and, if so, are the Government in a position to say when these surpluses are likely to be fully spent?

Answer by the Hon'ble Mr. Goode:—

"(a) (i) and (ii) and (b) The Hon'ble Member is referred to the reply to unstarred question No. 45 asked by the Hon'ble Babu Bhabendra Chandra Ray.

(c) No expenditure out of these surpluses can be incurred without the sanction of the Government of India and Government are not in a position to say at present how soon these surpluses can be spent."

By the Hon'ble Khan Sahib Aman Ali:—

60.

(a) In regard to my question No. 19 (unstarred) asked at the meeting of Council on the 3rd April last regarding the grant of hill allowance to the teachers of the Rangamati High English School, are the Government considering the desirability of increasing the allowance in question up to 33 *per cent.* of the pay of the teachers so that the deduction of house-rent at the rate of 10 *per cent.* on their salary will leave intact the 20 *per cent.* allowance on their pay which was formerly granted to compensate them for the other inconveniences of the place?

Grant of hill allowance to the teachers of the Rangamati High English School.

(b) With reference to the reply given to the second part of the question referred to in clause (a), are the Government considering the desirability of reconsidering the matter of granting the increase in the hill allowance at least from the date on which such increase was granted to the ministerial officers of Rangamati?

Answer by the Hon'ble Mr. Goode:—

"(a) and (b) The matter is still under the consideration of the Director of Public Instruction, but he is being asked to expedite the submission of his proposals."

*Questions and Answers.***By the Hon'ble Rai Radha Charan Pal Bahadur:—****61.**

Regulation of
traffic in the
northern part of
Calcutta.

With reference to the answer to my unstarred question No. XLIX of the 3rd July, 1918, will the Government be pleased to state whether any progress has been made in the scheme of the Commissioner of Police, in the matter of regulating the traffic in the northern part of Calcutta with the help of the traffic-police, especially in the Burra Bazar, Jorabagan and Kumartooly areas?

Answer by the Hon'ble Mr. Kerr:—

"In October, 1918, Government sanctioned the increase of the traffic police by 22 head constables and 270 constables. Of this number 22 head constables and 187 constables have been recruited from other branches of the Calcutta Police, and partially trained. Thirty-seven new traffic posts have already been put down and manned in the town of Calcutta north of Harrison Road. Before October last, the sanctioned strength of the traffic-police was 12 head constables and 126 constables, so under the recent increase the force will practically be trebled."

By the Hon'ble Rai Radha Charan Pal Bahadur:—**62.**

Municipalities
outside Calcutta
having 1st and
2nd Class Health
Officers and
Sanitary
Inspectors

(a) Will the Government be pleased to lay on the table a statement showing the Municipalities (outside Calcutta) which have at present in their employ 1st and 2nd class Health Officers and 1st and 2nd class Sanitary Inspectors, respectively?

(b) What arrangements are there for the training of candidates for employment as Sanitary Inspectors?

(c) How many persons have so far availed themselves of these opportunities of training?

(d) How many of them have been successful at the Sanitary Inspectorship Examination?

Answer by the Hon'ble Mr. Goode:—

"(a) A statement is laid on the table.

(b) The Sanitary Commissioner conducts a special class for the training of 2nd class Sanitary Inspectors. The course lasts for 8 months.

(c) 237 candidates have been admitted into the class including the current session.

(d) Up to November, 1918, when the last examination was held, 117 men were successful in securing certificates."

Questions and Answers.

Statement referred to in the answer by the H'ONBLE MR. GOODE to question No. 62 asked by the H'ONBLE RAI RADHA CHARAN PAL BAHADUR at the Council meeting of the 3rd July, 1919, showing the Municipalities (outside Calcutta) which have in their employ Health Officers and Sanitary Inspectors.

Name of Municipality.	Number and class of Health Officers appointed.	Number and class of Sanitary Inspectors appointed.
Burdwan ...	1 Second Class ...	2 Second Class.
Kalna ...	.....	1 " "
Katwa ...	.....	1 " "
Raniganj ...	.....	1 " "
Asansol ...	.....	1 First "
Suri ...	.....	1 Second "
Bankura ...	.....	1 " "
Vishnupur ...	.....	1 " "
Sonamukhi ...	.....	1 " "
Midnapore ...	1 Second Class (now vacant) ...	2 " "
Ghatal ...	.....	1 " "
Tamluk ...	.....	2 " "
Hooghly-Chinsura ...	.....	2 " "
Serampore ...	1 Second Class ...	2 " "
Rishra-Konnagore ...	.....	1 " "
Uttarpara ...	.....	1 " "
Baidyabati ...	.....	1 " "
Bhadreswar ...	.....	1 " "
Champdani ...	.....	1 " "
Howrah ...	1 First Class ...	4 " "
Bally ...	.....	1 " "
Cossipore-Chitpore ...	1 First Class ...	1 First Class and 1 Second Class.
Maniktala ...	1 Second Class ...	3 " "
South Suburban ...	1 " " ...	1 " "
Tollyganj ...	.....	1 " "
Garden Reach ...	1 Second Class ...	1 " "
Budge-Budge ...	1 " " ...	1 " "
Baranagore ...	1 " " ...	1 " "
Kamarhati ...	.....	1 " "
Rajpur ...	.....	1 " "
Baruipur ...	.....	1 " "
Jaynagar ...	.....	1 " "
South Dum-Dum ...	.....	1 " "
Panihati ...	.....	1 " "
North Barrackpur ...	.....	1 " "
Tittagarh ...	.....	2 " "
Garulia ...	.....	1 " "
Naihati ...	.....	1 " "
Bhatpara ...	1 Second Class ...	2 " "
Baraset ...	.....	1 " "
Basirhat ...	.....	1 " "
Krishnagar ...	1 Second Class (At present vacant)	1 " "
Nadia ...	.....	1 " "
Ranaghat ...	.....	1 " "
Santipur ...	1 Second Class ...	1 " "
Kushtia ...	.....	1 " "
Berhampur ...	1 Second Class ...	1 " "
Murshidabad ...	.....	1 " "
Azimganj ...	.....	1 " "
Jangipur ...	.....	1 " "
Jessore ...	.....	1 " "
Khulna ...	.....	1 " "

Questions and Answers.

Name of Municipality.	Number and class of Health Officers appointed.	Number and class of Sanitary Inspectors appointed.
Satkhira ...	.....	1 Second Class.
Rampore Boalia ...	1 Second Class	1 " "
Natore ...	.....	1 " "
Dinajpur ...	1 Second Class.	
Jalpaiguri ...	.....	1 First Class.
Rangpur ...	.....	1 Second Class.
Bogra ...	.....	1 " "
Pabna ...	.....	1 " "
Seraiganj ...	.....	1 " "
English Bazar	.....	1 " "
Nawabganj	.....	1 " "
Dacca ...	1 First Class	3 " "
Narayanganj	1 Second Class	1 " "
Mymensingh	1 Second Class	1 " "
	(At present vacant.)	
Netrokona	.....	1 " "
Jamalpore	.....	1 " "
Sherpore ...	.....	1 " "
Kishorganj	.....	1 " "
Tangail ...	.....	1 First Class.
Faridpur ...	.....	1 Second Class.
Madaripur	.....	2 " "
Barisal ...	1 Second Class	1 " "
	(Not yet employed.)	
Jhalakati ...	.....	1 " "
Pirojpur ...	.....	1 " "
Chittagong	1 Second Class	2 " "
Noakhali ...	.....	1 " "
Comilla ...	.....	1 " "
Brahmanbaria	.....	1 " "
Chandpur	.....	1 " "

By the Hon'ble Rai Radha Charan Pal Bahadur:—

63.

Progress in
vernacular
medical
education.

Has any progress been made in regard to the question of vernacular medical education? If not, what are the reasons for the delay in giving effect to the proposal?

Answer by the Hon'ble Mr. Payne:—

"The questioner is referred to the reply given by the Hon'ble Mr. Donald to a question on the same subject asked by the Hon'ble Babu Surendra Nath Ray on the 5th March, 1919. It was then stated that Government did not contemplate the establishment of schools or the opening of special classes for imparting medical education in the vernacular. This decision was arrived at upon full consideration and after a reference to the Government of India. The existing facilities for imparting medical education in English are still behind the demand for such a training, and it is to the provision of further facilities upon existing lines that it is the wish of the local Government to give preference."

By the Hon'ble Rai Radha Charan Pal Bahadur:—

64.

Non-official
efforts for
sanitary
improvement
in certain
malarial
areas.

Are the Government aware of non-official efforts for effecting sanitary improvements in certain malarial areas on co-operative principles? If so, what steps (if any) are the Government taking for furthering these and other similar efforts?

*Questions and Answers.***Answer by the Hon'ble Mr. Goode:—**

"Government are aware of the interesting movement which has recently sprung into existence in the direction of the formation of anti-malarial societies on co-operative lines. There are now three such societies in operation, viz., in Panihati, Sukchar and Sodepore, in the 24-Parganas district. Their aims are to provide for free medical attendance and treatment to the members of the society and to carry out local sanitary improvements. The Co-operative Society at Naogaon has also decided to open three dispensaries and to employ three doctors. Quite recently Rai Bahadur, Dr. G. C. Chatterji, who has been a pioneer in this movement, and a number of other gentlemen interested in co-operation and sanitation, approached the Registrar with a view to the registration of a provincial society at Calcutta for the encouragement of anti-malarial societies in the *mufassal*. The Registrar has given them every assistance in drafting by-laws and in making preliminary arrangements.

The Registrar is giving every encouragement in his power to these societies. The Bengal Co-operative Organisation Society, which receives a subsidy from Government towards its publication, has also given wide publication in its journals to the formation of these societies and to other anti-malarial propaganda."

By the Hon'ble Rai Radha Charan Pal Bahadur:—

65.

With reference to unstarred question No. LXXVI of the 3rd July, 1918, will the Government be pleased to state—

Development
of resources of
the country.

- (a) what steps (if any) have been taken for the development of the resources of the country since the last war conferences at Delhi and at Calcutta;
- (b) in what directions such steps have been taken, and with what result; and
- (c) to what extent Indian capital and talents have been utilised thereby?

Answer by the Hon'ble Mr. Payne:—

"(a) and (b) The Hon'ble Member is referred to the answer given to questions VI (e) and (f) on the 18th February last. A copy of the new edition of the Indian Munitions Board's handbook is laid upon the library table and attention is invited to articles 2, 3 (a), 8, 17, 29, 30 and 36.

The Hon'ble Member is also referred to the speech of the Hon'ble Revenue Member in reply to the resolution moved by the Hon'ble Mr. P. C. Mitter on the 27th March, 1919, in which some of the steps taken to develop the resources of the Forest and Cinchona Departments were summarised.

Government have at present under consideration two applications for the extraction of wood or bamboo from forests in the Chittagong Hill-tracts Forests Division for commercial purposes.

The investigation of the tannin resources of the Sunderbans is being conducted by an expert to the Government of India.

With regard to agriculture, the Hon'ble Member is referred to the Government Resolution No. 631-T.R., dated the 7th June, 1919, of which a copy is laid on the library table.

Questions and Answers.

With regard to the weaving industry, the Hon'ble Member is referred to the answer to starred question No. VI.

(c) It is difficult to answer this question precisely. During 18 months the Indian Munitions Board placed net orders to the value of 34 crores of rupees. An analysis of bills amounting to 8½ crores shewed that 47 per cent. was paid to purely Indian firms.

It is understood that Indians have not stood aloof from the Industrial section of the share market, while a few of the Industrial Companies are believed to have been subscribed to almost entirely by Indians.

An Indian superintendent and an Indian chemist have been appointed to the new Government Research Tannery."

By the Hon'ble Rai Radha Charan Pal Bahadur:—

66.

Progress of
stegomyia
inquiry.

Will the Government be pleased to state what progress (if any) has been made in regard to the stegomyia inquiry, the results achieved thereby, and the total amount spent in connection therewith?

Answer by the Hon'ble Mr. Goode:—

"The Hon'ble Member is referred to the reply to unstarred question No. 2 at to-day's meeting."

By the Hon'ble Rai Radha Charan Pal Bahadur:—

67.

Expenditure
on, and result
of, silkworm
investigations.

(a) What amount has so far been expended in connection with Miss Cleghorn's investigations regarding silk-worms, and to what practical application have the results of these investigations been put?

(b) Has any expert opinion been obtained with regard to the value of these investigations?

Answer by the Hon'ble Mr. McAlpin:—

"(a) Rupees seventy-one thousand three hundred and four have been expended so far in five years in connection with Miss Cleghorn's investigation into silk.

The work involves a complete and detailed study of silk-worms, of which the production of hybrids is one branch. An observation made by Miss Cleghorn has been made the basis of a valuable method of selection, whereby the eggs of moths preserving the greatest vitality are used in the production of seed cocoons for distribution to rearers.

The races will have to be tested for several years before it can be deemed safe to distribute them to rearers.

(b) Mr. Maxwell-Lefroy, Professor of Entomology at the Imperial College of Science, London, and lately Silk Specialist to the Government of India, spoke highly of Miss Cleghorn's work, and his remarks have been endorsed by the Bengal Silk Committee."

*Questions and Answers.***By the Hon'ble Rai Radha Charan Pal Bahadur:—****68.**

In regard to the examination for admission to the general list of the Indian Finance Department, will the Government be pleased to state—

Candidates for admission to Indian Finance Department General List.

(a) the number and educational qualifications of candidates from Bengal—

(i) who were recommended for the examinations held in the years 1916 and 1917; and

(ii) who actually appeared at the examinations held in those years; and

(b) the number and educational qualifications of candidates from Bengal who have been recommended to sit for the examination to be held in 1919?

Answer by the Hon'ble Mr. Payne:—

“The table below gives the information desired:—

RECOMMENDED BY GOVERNMENT OF BENGAL.				CHOSEN TO APPEAR AT EXAMINATION.			
Year.	No.	Educational qualification.		Year.	No.	Educational qualification.	
1916.	6.	M.A. (1st class)	...	3	1916.	7.	M.A. (1st class) ... 5
		M.Sc. (1st class)	...	1			M.Sc. (1st class) ... 1
		M.A. (2nd class)	...	1			B.Sc. (Hons.) ... 1
		B.Sc. (Hons.)	...	1			
1917.	9.	M.A. (1st class)	...	4	1917.	7.	M.A. (1st class) ... 4
		M.Sc. (1st class)	...	3			M.Sc. (1st class) ... 2
		B.A. (Hons.)	...	1			B.A. (Hons.) ... 1
		B.Sc. (Hons.)	...	1			
1919.	6.	M.A. (1st class)	...	4			
		M.A. (2nd class)	...	1			
		B.Sc. (Hons.)	...	1			

By the Hon'ble Rai Radha Charan Pal Bahadur:—**69.**

In regard to the Toll Collectors employed on the Calcutta and Eastern Canals and other canals in Bengal, will the Government be pleased to state—

Toll Collectors on Bengal canals.

(a) the average amount of revenue which passes through their hands in a year;

(b) their present pay, and the date when it was fixed; and

(c) whether there are any proposals under consideration for revising the present scale of pay with a view to attract a better class of men?

Questions and Answers.

Answer by the Hon'ble Mr. Cowley:—

"(a) and (b) The following table exhibits the average revenue passing through the hands of the Toll Collectors on canals in Bengal, the average pay drawn, and the year in which the scale of pay was fixed :—

CANAL GROUP.	Number of Toll Collectors.	Average pay.	Date when pay was fixed.	Average revenue passing through each Toll Collector's hands.	REMARKS.
		Rs.		Rs.	
Magra Hat ...	7	30	30-4-1914	3,623	
Midnapur Canal ...	7	26½	7-7-1905	5,747	
Hijili Tidal Canal ...	4	27½	7-7-1905	12,166	
Orissa Coast Canal ...	4	27½	7-7-1905	4,857	
Kristopor Canal ...	1	70	2-5-1911	1,35,846	Is a Sub-Overseer, 1st grade, who draws Rs. 20 local allowance in addition to pay.
Circular and New Cut Canal	3	47½	21-4-1890	38,092	Pay includes local allowance.
Tolly's Nala ...	3	48½	21-4-1890	17,112	Ditto.
Madaripur Bil ...	2	40	6-3-1917	9,411	
Nadia Rivers ...	2	60	4-4-1919	6,913	One Toll Collector is a 1st grade Sub-Overseer on Rs. 70 plus Rs. 20 local allowance. The other draws Rs. 50.

In addition tolls are realised by the Public Works Department Sub-divisional Officer at Jangipore in the Nadia Rivers Division; by the Sub-divisional Officer, No. 2 Sub-Division of the Circular and Eastern Canals Division, for Sunderbans steamer and flat traffic, and by the Executive Engineer, Circular and Eastern Canals Division, for steamer and flat traffic through the Madaripur Bil Route, on bearing tickets.

(c) Yes, a scheme is under preparation."

By the Hon'ble Babu Siv Narayan Mukharji:—

70.

Survey of the
Rohra khal.

Will the Government be pleased to state—

- whether the survey of the Rohra khal, as referred to in the reply to unstarred question No. 25, asked at a meeting of the Council held on the 18th February last, has since been completed;
- the nature and extent of the work proposed to be undertaken, together with the names of the villages through which the khal will pass and other particulars of the scheme; and
- whether it is proposed to execute the scheme during the current financial year?

*Questions and Answers.***Answer by the Hon'ble Mr. Cowley:—**

"(a) and (b) The preliminary survey in connection with the proposed improvement of the Rohra *khal* has been received and the project is now under examination. No particulars in regard to the scheme can be given until the examination of the project has been completed.

"(c) There is a provision of Rs. 20,000 in the current year's budget for works in connection with this scheme and it is hoped that the work, if found suitable, will be taken up in the course of the current financial year."

By the Hon'ble Babu Siv Narayan Mukharji:—

71.

Will the Government be pleased to lay on the table a statement showing—

(i) the detailed progress that has been made in the improvement of the lower reaches of the Damodar with a view to drain away the spill of that river;

(ii) the nature and extent of the investigations carried on during the last financial year by Mr. Glass, the Special Officer, in connection with the Reservoir Inquiry Survey at the upper reaches in the Barakar and Damodar valleys;

(iii) the nature and extent of the survey operations now in progress between Kumirkhola and the Begua *khal* with a view to mitigate the ravages of the flood; and

(iv) the actual amount spent up to the close of the last financial year on the anti-flood measures, together with the details of the work on which the amount was so spent?

Statement as to progress, expenditure, etc. of certain public works.

Answer by the Hon'ble Mr. Cowley:—

"(i) (a) The Ghesapatty *khal* has been excavated for a length of nearly 3 miles to a bed width of 100 feet and depth of 12 feet.

(b) The Buxi *khal* embankment has been retired about half a mile inland over a length of about one mile.

(c) The Hoorhoola *khal* has been excavated by hand labour, for a length of 3 miles in the district of Howrah, to a width of 50 feet and a depth of 12 feet. This portion of the *khal* will be finally improved by dredging.

(ii) (a) *Study of Natural Phenomena.*—

Available statistics of rainfall and flood gaugings have been analysed and from these have been established the nature and frequency of floods in the Damodar river. The maximum possible flood to be provided for in the design of the flood-regulating dams has been calculated.

(b) *River Surveys.*—

(i) From cross sections and flood levels the maximum rate of discharge of the record flood of 1913 for various sites has been calculated.

(ii) Levels have been taken along the right bank of the river where the flood water spills to estimate the extent of the spill.

(iii) Cross sections of the Lower Damodar have been taken to ascertain the actual carrying capacity of the river between banks.

*Questions and Answers.**(c) River Gauging.—*

During the monsoon special gaugings have been carried out at several selected sites, velocity observations made and experiments to ascertain the proportion of silt carried in the water.

(d) Reconnaissances for Dam sites :—

The valleys of the Barakar and Upper Damodar rivers and of some of their main tributaries have been examined and the possibility of the construction of reservoir dams investigated.

(e) Survey and investigation of selected sites for Dams.—

(i) Basins of proposed reservoirs have been contoured, and information obtained of the area likely to be submerged.

(ii) Detailed plans for each site have been prepared.

(iii) The nature of the soil, sub-soil and rock available at each site has been thoroughly investigated.

(iv) Information in regard to materials of construction available has been collected.

(f) Design of Dams and Reservoirs.—

The general principles and outlines of designs have been worked out, while the detailed proposals are well in hand; a definite project for control of the floods by reservoirs is under preparation.

(iii) Surveys are being made to trace (if possible) the changes in the features of the country during the last 60 years both as regards the levels of the country and the changes in the Begua and other spill *khals*. The surveys extend to the extreme limits of the 1913 flood; and, when completed, will afford valuable indications as to the extent of relief possible for the prevention of water-logging after a flood.

(iv)

	Rs.
(a) Retirement of Buxi <i>khal</i> embankment	73,774
(b) Improvement of Buxi <i>khal</i>	8,490
(c) Improvement of Ghesapatty <i>khal</i>	1,41,893
(d) Raising Damodar Right Embankment and Buxi <i>khal</i> embankment	12,518
(e) Raising Damodar Left Embankment	18,043
(f) Repairs at Jotekubir and Dhaphdara in 42nd and 44th mile of Damodar Left Embankment	16,271
(g) Hoorhoora <i>khal</i> project (cost of land acquisition to be adjusted in final account for March 1919)	1,24,217
(h) <i>Uchchi Nala</i> project	5,199
(i) Spur works in mile 71 of Damodar Left Embankment at Kalyan chak	952
(j) Raising Ajai Embankment	50,487
(k) Remodelling portion of Ajai Embankment between Bakshi Bazar and Sagarputal	3,721
Total	4,55,615 "

*Questions and Answers.***By the Hon'ble Babu Siv Narayan Mukharji:—**

72.

Will the Government be pleased to state what steps have been taken by the district boards of the Presidency to give effect to the wishes of Government for the establishment of a network of dispensaries in rural areas, as mentioned in the resolution of Government on the working of the district boards of the Presidency for the year 1917-18, under paragraph "Medical"?

Establishment of
dispensaries in
rural areas.

Answer by the Hon'ble Mr. Payne:—

"As the result of a circular issued by Government on the 18th September, 1917, urging upon district boards the necessity for establishing more dispensaries in the *mufassal*, 10 such dispensaries were opened during 1918, 4 have been opened during the preceding months of the current year and proposals for opening 134 more are now under consideration."

By the Hon'ble Mr. Arun Chandra Singha:—

73.

(a) With reference to the answer to unstarred question No. XI of 3rd July, 1917, regarding the removal of the headquarters station of the Noakhali district, are the Government aware that the erosion of the river Meghna has proceeded with alarming rapidity during the last two years and that the *zilla* school, the Madrassa, the Mission House, the Hindu and Muhammadan Boarding buildings and some residential buildings have already been washed away?

Removal of
headquarters of
the Noakhali
district.

(b) Are the Government also aware that the erosion of the Meghna has been a matter of grave anxiety and great concern to the people of Noakhali?

(c) Are the Government considering the necessity of making any arrangement for the removal of the headquarters station at once?

(d) If so, will the Government be pleased to state what site, if any, has been selected for this purpose and whether this removal will be temporary or permanent?

Answer by the Hon'ble Mr. Kerr:—

"It is unfortunately the case that the erosion by the Meghna at Noakhali is proceeding at a rather more rapid rate this year than in former years, and that the buildings mentioned in the question which lay between the river and the town have been washed away. Government have no doubt that the situation is causing grave anxiety to the people of Noakhali. At the same time, the town itself is in no immediate danger, and there is still the possibility that the erosion may cease before the river reaches the town. In these circumstances, Government propose to adhere to the policy which they have already declared in this Council and elsewhere. They have no intention of abandoning the present station unless the erosion of the Meghna should render this course necessary, and have come to no decision as to the site which should in that event be selected as the headquarters. Meanwhile temporary quarters are being built at Sonapur, and will shortly be ready, for those officials whose houses are in most imminent danger, and arrangements have been made for the temporary accommodation of the *zilla* school and madrassa."

Questions and Answers.

By the Hon'ble Mr. Arun Chandra Singha:—

74.

Rise in the price
of rice and other
food-stuffs in
Bengal.

(a) Are the Government aware that the rise in the price of rice and other food-stuffs in the Presidency has been very rapid and abnormal since the beginning of this year?

(b) Are the Government also aware that this rise has been causing great anxiety to the whole population of the Presidency and that the poorer people are already suffering a great deal on this account?

(c) Have the Government taken any steps to ascertain the causes of this rise? If so, will the Government be pleased to state what these causes are?

(d) What steps (if any) are the Government taking with a view to mitigating the sufferings of the poor of this Presidency on account of the rise of prices?

Answer by the Hon'ble Mr. McAlpin:—

"(a), (b), (c) and (d) The Hon'ble Member is referred to the statement which will be made in connection with the resolutions on the same subject which will be moved at the present Council meeting and to the following Press *communiqué* of the 14th June, 1919:—

'The question of the retail price of rice in the Bengal Presidency has been continuously under examination by the Local Government for many months past; and, in particular, the pronounced rise which began last April has been the subject of careful and minute examination. It is within the knowledge of the public that the control of rice is under the direction of the Government of India. The general principle which is being adopted is that supplies of rice are being directed from the provinces in which stocks are still available to those provinces in which but for outside help actual shortage of food is feared. But on the representation of the Bengal Government regarding the abnormally high prices now prevailing in the Presidency, the Imperial Government have re-examined the whole question of outside demands on Bengal and in its interests have adopted the following measures.

2. The monthly allotment made by the Foodstuffs Commissioner for exports of rice by rail to other provinces has been materially decreased; and overseas export to Madras has been substantially reduced. A moderate allotment of Burma rice has been made for Bengal *via* Calcutta, which, it is anticipated, will be continued monthly; whilst arrangements have been made for the import of rice from Akyab to Chittagong for the use of Assam and of the Eastern districts of Bengal. The Government of India have also under consideration measures for the prevention of the creation of competitive prices by purchasers from other provinces bidding against one another. Further, the freight of rice from Rangoon to Calcutta has been decreased.

3. The Government of Bengal have at present no reason to anticipate any actual shortage of rice; but by the census of stocks of rice in the province, orders for which have recently issued, it is proposed to ascertain more clearly the position in each district and in the Presidency as a whole, and, in particular, whether there is any improper holding up of stocks.'

By the Hon'ble Mr. Arun Chandra Singha:—

75.

High prices of
cloth in Bengal.

(a) Are the Government aware that high prices of cloth are still prevailing throughout the Presidency, and that there is also an upward tendency of these prices?

Questions and Answers.

(b) Are the Government also aware that great distress prevails throughout the Presidency owing to these high prices?

(c) Have the Government caused any inquiry to be made into the causes of these high prices of cloth? If so, what are the causes?

(d) Is there any reason to think that there is a likelihood of these prices falling soon?

(e) Will the Government be pleased to state what steps (if any) they are taking to control the prices of cloth?

Answer by the Hon'ble Mr. Payne:—

"(a) The price of cloth throughout the Presidency is still considerably above the pre-war normal, but retail prices have varied very little during the last six months and are now very much the same as they were in the latter part of January.

(b) Yes.

(c) An inquiry was made by a Committee appointed by Government in July, 1918. The same causes of high prices which were then found to exist are still at work. These were explained in the course of the debate on the resolution moved by the Hon'ble Rai Mahendra Chandra Mitra Bahadur on the 19th February, 1919.

(d) There are signs of future improvement in imports of cloth, but it is difficult to forecast future prices.

(e) Government are carefully watching the trend of prices of cloth, but do not at present contemplate taking any special action."

By the Hon'ble Babu Surendra Nath Ray:—

76.

(a) Will the Government be pleased to state whether the Inspectress of Schools, Dacca Circle, has gone on leave? If so, for how long? Miss Lilavati Ghose.

(b) It is a fact that Miss Lilavati Ghose has been appointed to act in the vacancy?

(c) When did Miss Lilavati Ghose receive her first permanent appointment in the Education Department?

(d) How many Assistant Inspectresses are there altogether in Bengal, and how many of them are senior to Miss Lilavati Ghose?

(e) Which of the Assistant Inspectresses has served the longest in the Education Department, and for how many years, and in what important capacities did she serve during that period?

(f) What are the reasons for appointing such a junior officer as Miss Lilavati Ghose to the post?

(g) Did any of the other Assistant Inspectresses ever officiate as Inspectress of Schools, either in East or West Bengal, or in both, and if so who are they, and how often and for what periods did they officiate on each occasion?

(h) Why have their claims been set aside on this occasion?

(i) Is this the only occasion on which Miss Lilavati Ghose has been appointed to officiate as Inspectress of Schools?

(j) If not,—

(i) when was she appointed before this as officiating Inspectress of Schools; and

(ii) for what periods?

Questions and Answers.

(k) Did she hold any permanent appointment when she was first appointed to officiate as Inspectress of Schools?

(l) What post did she hold then?

(m) Who was the Assistant Inspectress of Schools in Dacca during that period?

(n) What were the important positions held by that Assistant Inspectress during the period of her service in the Education Department? To what grade of Provincial Service did she belong, and how long was she in the Education Department when she was so superseded?

(o) Will the Government be pleased to state what were the considerations which led them on that occasion to supersede the claims of this Assistant Inspectress of Schools, and other senior Assistant Inspectresses of Schools in Bengal?

(p) Will the Government be pleased to state what evidence they possess of the superior ability of Miss Lilavati Ghose to justify the supersession on this occasion against all her seniors?

(q) Will the Government be pleased to state whether it is a fact that when Miss Lilavati Ghose was acting as officiating Inspectress of Schools, Faridpur and Barisal, several complaints were made to the then Director of Public Instruction against her by school authorities, both European and Indian? If so, what was the nature of those complaints?

(r) Will the Government be pleased to state whether they are aware of the great discontent created by this appointment?

(s) Is it in contemplation to revise the orders?

(t) Will the Government be pleased to place on the table the departmental correspondence with reference to the appointment of Miss Lilavati Ghose as officiating Inspectress of Schools?

Answer by the Hon'ble Mr. Goode:—

"(a) Miss Irons, the permanent Inspectress of Schools, Dacca Circle, went on 6 months' leave on the 24th of May, 1919.

(b) Yes.

(c) Miss Lilavati Ghose was permanently appointed to the Provincial Educational Service, on the 2nd December, 1918.

(d) There are 12 Assistant Inspectresses altogether, of whom 9 are senior to Miss Ghose.

(e) Miss Hridaybala Bose has served the longest in the Education Department, having rendered nearly 13 years' service. She officiated as Inspectress of Schools of the Burdwan Circle as well as of the Dacca Circle.

(f), (h), (o) and (p) Miss Lilavati Ghose has proved herself a capable officer who is familiar with the working of the office of Inspectress of Schools, having been in charge of it before, and it was considered desirable to avoid disorganisation by unnecessary transfers.

(g) Miss Hridaybala Bose officiated—

(1) as Inspectress of Schools, Presidency and Burdwan and Orissa Divisions, from the 5th December, 1907, to the 3rd March, 1908, and again from the 31st August, 1909, to 15th October, 1909;

(2) as Assistant Inspectress of Schools, Dacca Circle, from the 9th October, 1914, to 19th November, 1915;

(3) as Inspectress of Schools, Presidency and Burdwan Divisions, from the 12th October, 1916, to 1st October, 1918.

*The Calcutta Municipal Bill, 1917.**The Maharajadhiraja Bahadur of Burdwan.*

(i) and (j) Miss Lilavati Ghose held charge of the office of the Inspectress of Schools, Dacca Circle, during the absence on leave of Miss Irons, for one month and one day in 1918.

(k) No.

(l) She was officiating Additional Assistant Inspectress, Dacca Division (at Faridpur).

(m) and (n) The late Mrs. Kumudini Das, who was then the Assistant Inspectress, was Lady Principal of the Bethune College for many years and was in class IV of the Provincial Educational Service. Her service in the Education Department commenced from the 1st March, 1902.

(q) Government have no information and no papers can be traced.

(r) Yes.

(s) No.

(t) Government are not prepared to place departmental correspondence on the table."

LEGISLATIVE BUSINESS.**LIST OF BUSINESS—ITEM No. 3.****THE CALCUTTA MUNICIPAL BILL, 1917.**

The Hon'ble Sir Bijay Chand Mahtab, Maharajadhiraja Bahadur of Burdwan, moved that the Calcutta Municipal Bill, 1917, be withdrawn.

He said :—

"My Lord, in moving this motion I feel that on behalf of Government I must explain at some length the reasons that have weighed with the Government to decide upon the course which I have now proposed. It may be within the recollection of members of this Council that Sir S. P. Sinha (now Lord Sinha) when introducing the Calcutta Municipal Bill on the 27th of November, 1917, pointed out that doubts and difficulties had from time to time arisen with regard to the construction and practical operation of the Calcutta Municipal Act of 1899 and there had been also a growing volume of public opinion that the constitution of the Corporation should be further liberalized. Lord Sinha then sketched the genesis of the present Bill and, among other things, he pointed out that 'in the address which the Chairman and the Commissioners of the Calcutta Corporation presented on behalf of the citizens of Calcutta, to His Excellency Lord Carmichael, on his arrival in Calcutta, to take up the Government of the Presidency, they expressed the opinion that their administration would not be effective without some radical alterations in the law and in the constitution of the Corporation, and they invited consideration of the suggestions of the Royal Commission on Decentralization regarding the Corporation'. I may mention here that the Royal Commission upon Decentralization, after going into the question of municipal administration generally, were strongly impressed with the necessity of relieving the Chairman from having to preside at all meetings of the Corporation and the General Committee and at practically all special and sub-committees. They accordingly recommended in their Report the adoption of the system in force in Bombay under which all executive authority vests in a Municipal Commissioner appointed by Government, who is not a member of the Corporation. Lord Sinha then went on to say—'several representations were subsequently submitted to Government from private individuals, as well as from representative Associations, and various proposals

*The Calcutta Municipal Bill, 1917.**The Maharajadhiraja Bahadur of Burdwan.*

were suggested for the consideration of Government with a view to the amendment of the Calcutta Municipal Act, 1899. The Government of Lord Carmichael realized that there was a widespread feeling in favour of amending the Act, and in particular of an alteration in the constitution of the Corporation. The various proposals and suggestions which had been put forward were considered and examined, and a Resolution was published in 1913, inviting the views of the Calcutta Corporation and the general public on the main alterations suggested in the law, which related principally to the constitution of the Corporation and the administrative machinery employed. After consideration of the views expressed the Bill now under discussion was prepared by Lord Carmichael's Government and eventually introduced as I have already mentioned in March 1917.

The main features of this Bill are—

- (i) the increase of the number of Commissioners ;
- (ii) the election of Muhammadan representatives by separate District Electorates of their own, precluding them at the same time from taking part in the General or Ward elections ;
- (iii) the abolition of plural voting ;
- (iv) the appointment of a Commissioner by the Government as the head of the executive and the election of a Chairman by the Corporation to preside at its meetings and the abolition of the General Committee and the creation of a General Appeals Committee and a Buildings Appeals Committee.

These changes were primarily proposed to meet popular demands and at the same time to give the Corporation a more liberal constitution than under the present law of 1899. To take the case of Muhammadan representation, public opinion was invited on the subject and as stated by Lord Sinha 'in spite of the unanimous opposition of the Hindu associations the consensus of opinion, including that of the Corporation, was in favour of securing adequate representation to this important community by a separate communal electorate'. The proposal for the abolition of plural voting was designed to make the constitution of the Corporation more democratic whilst in introducing the Bombay system of vesting all executive authority in a Municipal Commissioner appointed by Government, we were following the recommendations of the Royal Commission upon Decentralization. As regards the fifth of the important constitutional changes proposed there was a strong body of opinion, including that of the Corporation itself, in favour of the abolition of the General Committee and the transfer of its powers partly to the Corporation and partly to the Municipal Commissioner.

When Your Excellency's Government came into office in 1917, they succeeded to this Bill as a legacy from Lord Carmichael's Government, and it was decided to introduce it, though it was recognized that it would be introduced at a time when the general principles of the development in India of Local Self-Government were about to be further examined and that new and more liberal principles might be enunciated and that there might be a change in the public attitude towards the provisions contained in the Bill. The Government of Bengal realized then, as they do now, the necessity for carrying public opinion with them in a measure of this kind and were fully alive to the fact that their policy would have to be determined by the reception it met. The Bill was accordingly introduced as a medium of ascertaining what form of City Government the public of Bengal in general and the Corporation of Calcutta in particular wished to have. It was on this account that in addressing the Council on 4th April, 1918, Your Excellency remarked that when the views of the Corporation and other public bodies on the Bill had been submitted they would receive careful and earnest attention from Government, and Your Excellency at the same time gave voice to the hope

*The Calcutta Municipal Bill, 1917.**The Maharajadhiraja Bahadur of Burdwan.*

that the expression of their views would not be unduly delayed though there was no desire on the part of Government to curtail the time necessary for a full considered opinion.

Well, the Corporation have had ample time to consider the provisions of the Bill, although I am much afraid that some of its members would probably have liked to have had more time for the purpose, but which the Government did not feel justified in granting as already two full years had elapsed since the introduction of the measure by Lord Sinha in 1917. However, in March last they submitted their opinion on the provisions relating to the constitution and government of the City, and from their views one thing is certain, viz., that they do not want the organization embodied in the Bill. The Corporation, of course, like other people are free to change their minds and in the present instance they have certainly done so effectually. In fact, in certain aspects there has been an entire transformation of their ideas, for they now protest against some of the changes they themselves formerly asked for, largely it seems because of the conflict between certain features of the Bill and some of the principles laid down in the Resolution on Local Self-Government issued by the Government of India in May, 1918, nearly six months after the Bill was introduced.

The Corporation have now made a number of proposals which are in entire opposition to the system incorporated in the Bill. To give an instance, the Bill provides for nominations of Commissioners by various public bodies, whereas the Corporation recommend that this method of representation by special electorates should be entirely done away with. Their recommendation is certainly consonant with the view put forward in the Report of the Viceroy and the Secretary of State on Indian constitutional reforms that the number of special electorates should be as restricted as possible, and that minority interests should, wherever necessary, be represented not by class or interest electorates, but by nomination. The Corporation then again in another direction are so far democratic that they wish to lower the qualifications for franchise and to introduce female suffrage, thus going beyond the scope of the Bill; on the other hand, however, they are opposed to the democratic innovation which we introduce in the Bill, viz., the abolition of plural voting. Again, they are of opinion that no separate Muhammadan electorate is necessary. In this matter, of course, their views are in accordance with those expressed in the Resolution of the Government of India in May, 1918, on Local Self-Government which states that special representation of minorities, where necessary, should preferably be effected by the system of nomination rather than by introducing some system of communal electorates. Lastly, the Corporation have proposed that they should have power to appoint and remove the Municipal Commissioner and Deputy Commissioner subject to the approval of Government. Here, again, they follow the view of the Government of India who have laid down in their Resolution that the executive head may be nominated by the Municipal Board but his appointment should be approved by Government and he should not be removed without the sanction of Government unless by the vote of a substantial majority of the Board.

Turning to the other views that have been expressed by different public bodies, some of which are more or less of an adverse character, we find, for instance, the Indian Association object to many of the provisions of the Bill relating to constitution. They urge—

- (1) that the Corporation should be the sole supreme authority delegating its powers to the Municipal Commissioner and to different committees;
- (2) the Municipal Commissioner should be elected by the Corporation subject to the veto of Government, and the Corporation should have the sole power of appointing the Deputy Commissioner;
- (3) the elected element on the Corporation should be increased;

*The Calcutta Municipal Bill, 1917.**The Maharajadhiraja Bahadur of Burdwan.*

- (4) that there should be no separate Muhammadan electorate; and
- (5) the provisions for franchise are old and out of date and the franchise should be broadened.

The Anglo-Indian Association would like—

- (1) that the Corporation should be recognized as the supreme authority with power to appoint committees, there being no co-ordinate authorities;
- (2) that the control of Government should be external; and
- (3) that there should be female suffrage.

Coming to Muhammadan sentiment, we find the Bengal Presidency Moslem League regard the Bill as unsatisfactory and retrograde, because according to them the Corporation should have the supreme controlling authority and also they do not consider that the Muhammadans have been given sufficient representation. The Central National Muhammadan Association, whilst also asking for more Muhammadan representation, wish the qualifications for franchise to be lowered. The Calcutta Trades' Association seem to think that the Bill is abortive in consequence of impending constitutional changes. They understand, they say, that it is now likely, owing to the change in the political atmosphere of India, that much more extensive proposals will be forthcoming for the liberalizing of the constitution; and while, therefore, they evidently do not favour our proceeding with the proposed new Bill, they have suggested dividing the Bill into two parts, and going ahead at the earliest possible opportunity with such sections that deal with practical City Government after necessary revision. It is curious, though at the same time not uninteresting, to find two of the most prominent European Associations in Calcutta advocating our not proceeding with the Bill in view of the pending reforms. I have already quoted what the Calcutta Trades' Association have said and as it might interest the members of this Council, I may point out that so far back as May 1918, the Bengal Chamber of Commerce, in their reply to the Government, advocated the same thing. My Lord, I have already, I am afraid, trespassed on the time of this Council and I shall, therefore, now briefly state why it is that the Government propose to withdraw the Bill. It must be evident to members of this Council from the view received by the Government from the different bodies, particularly the Calcutta Corporation itself, that the Bill introduced in 1917, instead of having received a warm welcome, has had, in certain respects, at any rate, a somewhat chilly and hostile reception. Government are more anxious now than ever of popularizing Local Self-Government in the country and in view, therefore, of the coming reforms as well as, of course, of the fact that Government have no desire to force on an unwilling Corporation a constitution which it does not consider popular, they have consequently decided to move for the withdrawal of the Bill. Although, however, Government propose to withdraw this Bill, they hope to be able to introduce before very long fresh legislation for certain practical administrative reforms of which the necessity had long been felt. The Bill as introduced, as I have already pointed out, provided for enlarging the constitution of the Corporation and for a more equitable representation of all sections of the community. It was also intended at the same time to overcome practical difficulties which have been experienced as the result of the working of the Act since 1899. The Corporation have submitted a representation that there are certain urgent and non-controversial matters of an administrative character in regard to which immediate legislation is necessary, such as the improvement of the milk-supply, the licensing of theatres and the revision of the existing law regarding food adulteration.

*The Calcutta Municipal Bill, 1917.**Rai D. C. Ghose Bahadur ; Rai R. C. Pal Bahadur.*

Government, therefore, whilst deciding to withdraw the present Bill, agree that grave inconvenience will be caused if legislation for administrative reforms of this character is deferred, and it is, therefore, proposed to introduce as soon as possible an amending Bill dealing solely with administrative reforms which lie outside the field of political controversy.

My Lord, I now beg to move that the Calcutta Municipal Bill, 1917, be withdrawn."

The Hon'ble Rai Debender Chunder Ghose Bahadur said :—

"My Lord, permit me to congratulate the Government on its decision to withdraw the Calcutta Municipal Bill. The Bill has been introduced in 1917, some years after the breaking up of the war. The Bill might have studied the temper of the people and the atmosphere of 1912-13, but from the time when instructions to draft the Bill were issued, the political atmosphere (as the Hon'ble Maharajadhiraja Bahadur has said) has changed. It has rapidly changed and the Bill as it was introduced was an anachronism, and, it would be an advantage for the Government, having now received the opinions of the several bodies interested in the efficient working of the Municipality, that they should withdraw the Bill and frame a new Bill on the lines of public opinion of the present time, and the views which the Government of the present day might entertain on it, because I am sure the opinion of Government also changes with the change of time and that what they considered wise and good some 5 years ago may not be so now. Then, my Lord, something has been said about the changing attitude of the Corporation of Calcutta. I plead guilty to that, my Lord. We are bound to change our attitude with the progress of time and it is no credit to a person or to a public body if they cannot change—change which may be due to the change in the political atmosphere or as a result of public criticism. If something be found better, there is no reason why we should not change our present view and adopt a new one. For instance, the question of female suffrage which has been referred to by the Hon'ble Member. It will be found that certain provinces in British India have gone ahead of us, and have given votes to female owners and occupiers of property. Bombay has been satisfied with such a thing since the year 1888. By Bombay I do not mean the city of Bombay alone but also the mufassal districts where they have given votes to females. There are female electors without causing any inconvenience. This is also the case in the United Provinces where, I believe, female suffrage was given some 10 or 15 years ago. There is something of this kind in the Punjab also, so that female suffrage, as suggested by the Calcutta Corporation for introduction, is not an experiment and is not a thing which ought not to have been put forward by such a sedate body as the Calcutta Corporation. As I said, my Lord, I am glad that the measure is being withdrawn and that the materials now before the Council will form the foundation of a new and better measure."

The Hon'ble Rai Radha Charan Pal Bahadur said :—

"My Lord, when I entered the Council Chamber I had no idea of speaking on this motion ; and I did not anticipate such a lucid speech from the Hon'ble Member in charge. But I am glad that he has dealt with the whole history of the Calcutta Municipality. I think, my Lord, I may say that I do not agree with my hon'ble friend to the left (Rai Debender Chunder Ghose Bahadur) that the Bill should not have been introduced at all in the year 1917. I am glad that it was introduced and that the public had an opportunity of seeing what the Government proposed to do in

*The Calcutta Municipal Bill, 1917.**Rai R. C. Pal Bahadur.*

connection with the Calcutta Municipality and what reforms and changes the Government proposed to introduce. I am glad that this introduction afforded an opportunity not only to the Corporation but also to the public generally to express their views on the subject.

The Hon'ble Maharajadhiraja Bahadur of Burdwan has dwelt on the delay on the part of the Corporation in submitting their opinion on this Bill. Well, my Lord, it is the old old cry that the Corporation is an arsenal of delays. May I not retort and ask, how many years the Government of Bengal took in incubating this measure? If I go back to the history of this measure, I may say that in 1913 the main proposals relating to the constitution were formulated and a special officer was deputed to draft the Bill. If with all the resources at their disposal Government took no less than four years to deal with a measure of such magnitude, I think the Corporation and the public bodies have not taken an unduly long time over this measure which is a big volume containing nearly 600 sections with a number of schedules.

Then, my Lord, the first instalment of the opinion of the Corporation was submitted some time in March last. This related to the constitution, and the subject naturally took a great deal of time. The Corporation is a heterogenous body, consisting of Europeans and Indians, Hindus and Muhammadans, Parsis and Jews, and we had to harmonize the views of the different sections of the community. I think that the Corporation, instead of being accused of delay, ought to be congratulated on being able to submit their views on the constitutional portions, which are endorsed by all sections of the community, European and Indian.

My Lord, the Corporation have been charged—and I take the charge in a light-hearted way—with changing their views. The main point is whether the Corporation should be the supreme authority, as was the case long before the Indian Constitutional Reforms were even dreamed of by Mr. Montagu; I believe he was then in his cradle. In 1863, the Government of Sir Cecil Beadon created the Corporation, and made it the supreme authority. There were no co-ordinate authorities, nor was the executive free from the control of the Corporation. Then, in 1876, the elective system was partially introduced in Sir Richard Temple's time, and in Sir Stuart Bayley's time in 1888 the suburbs were amalgamated with Calcutta. Ten years later, unluckily for us at an evil moment—I think in a fit of anger—everything was smashed, and in 1899 an Act was passed, pulling the Corporation down from the position it had occupied since 1863. I think it is clear from the proceedings of the Corporation that we—the representatives of rate-payers—wanted at least the restoration of the constitution which Calcutta had enjoyed since 1863. Fortunately or unfortunately, I am glad that the Bill revealed to the general public what Government intended to do. The Bill proposed to keep the Corporation as an ornamental body with some increase in the number of members and we were to be content with some additional chairs in the Corporation Council Chamber. That, my Lord, was a position which we were not prepared to accept, especially in view of the fact that high hopes were engendered in our minds after the publication of the celebrated Report on Constitutional Reforms by His Excellency the Viceroy and the Right Hon'ble the Secretary of State for India.

My Lord, the first Calcutta Municipal Act creating the Corporation was passed in 1863 and after a lapse of 12 or 13 years it was amended in 1876; it was again amended in 1888 and finally in 1899 a retrograde measure was passed, doing away with the Corporation as a supreme authority in Municipal affairs. In 1917 we were pressed with this disappointing Bill, although we had always been promised in very sweet and comforting expressions by successive Viceroy and Governors that the Act would be amended and that there would be something like real local self-government as you have in your own country. We came to the Throne Room of Government House and

*The Bengal Food Adulteration Bill, 1919.**The Maharajadhiraja Bahadur of Burdwan.*

presented addresses; and we had hopes held out but nothing tangible has yet been done to fulfil those hopes. I may also submit that not only the Corporation but generally all the public bodies, including the Anglo-Indian Association, the Calcutta Trades' Association, the Bengal Chamber of Commerce, the Muhammadan Association and other Indian Associations and even the non-official European Commissioners think that the time has changed and that the constitution of the Corporation should be liberalized. That shows, my Lord, the volume of public opinion and the depth of public feeling in the country, and I hope that now that the Bill is to be withdrawn effect will be given to the popular wishes in this matter. If in this small matter of City Government we are not to have genuine self-government, what is the use of giving us hopes of enlarged powers in the Provincial Councils or in the Government of India? If we are not to be trusted after 150 years of British rule to manage our own local affairs, and we are to be always in the leading strings of the executive head of the Corporation, far better that there should be no reform than a reform in which we shall be rewarded only with some additional chairs in the Corporation Council Chamber.

As regards the change of views of the Corporation, I may say a word or two before I sit down. I do not think that there has been any material change, but having regard to the publication of the report on the Indian constitutional reforms, the Corporation thought that as regards European representation, it should be secured through earmarking a certain number of seats for Europeans in some Wards instead of through election by close association. As regards Moslem representation it took a little time to harmonize the views of Hindus and Muhammadans on the subject and the opinion arrived at is the considered view of the Corporation. As regards female suffrage for which my gallant friend the Hon'ble Rai Debender Chunder Ghose Bahadur fought hard in the Corporation, we accepted it by a majority. These are some of the details. There has been no change of opinion or attitude in regard to the main thing, viz., that the Corporation should be the supreme authority in Municipal affairs, and we implore the Government that in the matter of Municipal administration the Corporation should be the supreme authority."

The motion was put and agreed to.

LIST OF BUSINESS—ITEMS Nos. 4 and 5.**THE BENGAL FOOD ADULTERATION BILL, 1919.**

The Hon'ble Sir Bijay Chand Mahtab, Maharajadhiraja Bahadur of Burdwan moved that the Report of the Select Committee on the Bengal Food Adulteration Bill, 1919, be taken into consideration.

The motion was put and agreed to.

The Hon'ble Sir Bijay Chand Mahtab, Maharajadhiraja Bahadur of Burdwan moved that the clauses of the Bill be considered for settlement in the form recommended by the Select Committee.

The motion was put and agreed to.

*The Bengal Food Adulteration Bill, 1919.**Rai M. C. Mitra Bahadur; the Maharajadhiraja Bahadur of Burdwan.***LIST OF BUSINESS—ITEM No. 5.****THE BENGAL FOOD ADULTERATION BILL, 1919.****AMENDMENT No. 1 (APPENDIX TO THE LIST OF BUSINESS).***Preamble.*

The Hon'ble Rai Mahendra Chandra Mitra Bahadur moved that the following be substituted for the title and preamble, namely :—

“A

BILL

to make provision for the sale of food in Bengal in a pure and genuine condition.

WHEREAS it is expedient to make provision for the sale of food in Bengal in a pure and genuine condition and for the prevention of adulteration thereof ; ”

He said :—

“ My Lord, in making this amendment I beg to submit that the amendment suggested is based on the idea that the object of the Bill is to make provision for *the sale of food in Bengal in a pure and genuine condition*. The preamble ought to include such a language as referred to just now. The perusal of the several clauses of the Bill may justify me to make this suggestion. Reading 38 and 39 Vic. C. 63 upon which the Bill has been drafted, I am fortified to make this amendment as to the title and preamble. The title of the English Act runs thus :—‘ An Act to repeal the adulteration of food and drugs and to make better provision for the sale of food and drugs in a pure state whereas it is desirable that the Acts now in force relating to the adulteration of food should be repealed and that the law regarding the *sale of food, etc., in a pure and genuine condition* is to be amended’. I notice that the preamble in the Bill simply states for the prevention of adulteration of food in Bengal. The title and the preamble of the Act ought to be clear and exhaustive.”

The Hon'ble the Maharajadhiraja Bahadur of Burdwan said :—

“ My Lord, I am sorry I am unable to accept this amendment. In opposing this amendment I am aware that the more recent English Act designed to prevent the adulteration of food and drugs bears the title of Sale of Food and Drugs Act. But the Sanitary Commissioner's note upon this point which is contained in the collection of opinions had some force in regard to the original title circulated to the Hon'ble Members and adopted by Government in this Bill, namely, the Prevention of Adulteration Bill. As the matter does not deal with adulteration generally but merely with the adulteration of food, while adulteration is actually practised in many other commodities, the Select Committee realized that some change in the title was necessary and the Bill now bears the title of the Bengal Food Adulteration Bill. This title is in my opinion adequate and it covers measures to secure both the sale and manufacture of pure food. I do not think that the amendment of the Hon'ble Rai Mahendra Chandra Mitra Bahadur would be an improvement. As both the title and preamble seem to me to be suitable and sufficiently expressive, I would request the Council to reject the proposed amendment.”

*The Bengal Food Adulteration Bill, 1919.**Rai M. C. Mitra Bahadur; The President.***The Hon'ble Rai Mahendra Chandra Mitra Bahadur** said :—

"My Lord, it is not necessary for me to add anything more. I have sufficiently explained my views to the Council."

The motion was then put and lost.

AMENDMENT No. 2.*Clause 1.*

The Hon'ble Rai Radha Charan Pal Bahadur was to have moved that for the words "Bengal Food Adulteration Act" in lines 1 and 2 of sub-clause (1) of clause 1, the words "Bengal Pure Food Act" be substituted.

The President said :—

"The amendment standing in the name of the Hon'ble Rai Radha Charan Pal Bahadur is consequential on the first amendment and therefore falls."

The amendment was then deemed to be withdrawn.

AMENDMENT No. 3.

The Hon'ble Rai Mahendra Chandra Mitra Bahadur moved that in sub-clause (2) of clause 1, the following be omitted, namely :—

- "(1) in lines 2 and 3, the words, brackets and figures 'except Calcutta as defined in clause (7) of section 3 of the Calcutta Municipal Act, 1899,' and
- (2) in line 7, the words 'outside Calcutta'."

He said :—

"My Lord, the proposed amendment suggests to the Council that the Act should be extended to Calcutta. Whoever has carefully read the clauses of the Bill cannot express his debt of gratitude to the hon'ble mover of the Bill and the Select Committee. The provisions of the English Acts from 1875 to 1907, specially the sale of Food and Drugs Acts of 1875, 1879, of 1899, the Butter and Margarine Act of 1907, have been made applicable to Bengal as far as they may be possible. The Bill is not exhaustive and is capable of further amendments and improvements. The intricacies of the English law have been carefully avoided and the clauses exhibit care and attention paid to bring home at present cases so far as Bengal is concerned. Clauses 5, 6 and 8 are elastic. The warranty sections, so familiar to English lawyers, may be made applicable to these clauses. My Lord, I regret to note that this Bill has been declared not to be applicable to Calcutta, notwithstanding the valuable opinion of the Marwari Association, Calcutta, to the effect that various articles of food of common consumption, such as *ghee*, oil, *atta*, etc., are imported into the interior of the Presidency of Bengal from Calcutta. Having regard to some of the provisions of the Bill the Association are of opinion that the clause should be so altered as to make the law applicable to Calcutta also in order to check, as far as possible, the sale in the mufassal of adulterated articles imported from Calcutta. It is submitted that the field of the operation of the Bill should not be in the mufassal only, but in Calcutta also, the centre of trade and commerce. If the provisions of the Bill are administered with care in Calcutta, there may be a salutary check on the sale of adulterated food in the Province. Sections 495 and 496 of the Calcutta Municipal Act (Ben. Act III of 1899) now in force, in Chapter XXXV, are, in my opinion, not exhaustive and therefore powerless to prevent adulteration. In the new Bill which has been withdrawn the improvements suggested in Chapter XXIX will therefore be of no practical utility to the public."

*The Bengal Food Adulteration Bill, 1919.**The Maharajadhiraja Bahadur of Burdwan ; Rai R. C. Pal Bahadur.*

Only the Ghee Act has been passed by Your Excellency's Council for Calcutta, but I regret to note that nothing has been done as yet for the prevention of the sale of milk, mustard oil, etc., in adulterated condition by a very large number of vendors in markets of Calcutta excepting in a few markets belonging to the Calcutta Corporation. Had the sections of the Calcutta Municipal Act now in force been powerful enough to enforce the sale of milk, mustard oil, etc., in a pure and genuine condition only, the vendors in Calcutta markets referred to above would not have ventured to sell them in an adulterated condition and could not exhibit signboards and placards to the effect that they sell adulterated articles."

The Hon'ble the Maharajadhiraja Bahadur of Burdwan said :—

"My Lord, it was a little bit surprising to me when I moved for the withdrawal of the Calcutta Municipal Bill that the two gallant gentlemen who defended the opinion of the Corporation did not at all welcome my proposal except by their silence to take up urgent legislation in connection with better milk supply and of further and more adequate control against the adulteration of food. Therefore, it is perhaps in one sense very pleasant to hear the Hon'ble Rai Mahendra Chandra Mitra Bahadur suggesting that this Act should apply to Calcutta as well as to the mufassal. My Lord, I quite agree that some measure to prevent the sale and manufacture of adulterated food in Calcutta is even more urgently required than in the mufassal, and if Government were proposing to leave Calcutta alone, the hon'ble mover of this amendment would be justified in complaining against the distinction which the legislature would be setting up by excluding Calcutta in this manner. But if the Hon'ble Member who has moved this amendment heard me correctly, I am sure he must have realized that it is proposed at a very early date to lay before this Council a short amending Bill which would provide for certain urgent amendments for Calcutta. A draft of that Bill, as I have already said, is now under preparation and I may inform the Hon'ble Member that it contains adequate provisions for the prevention of food adulteration in Calcutta. As I have pointed out it is more convenient to have the Municipal law contained within the four corners of one Act, and a further reason for not accepting the Hon'ble Member's amendment is that the Corporation has not been consulted on this Bill. In view of this, I trust that the Hon'ble Mover will see his way to withdraw it. I regret that I am unable to accept it."

The Hon'ble Rai Radha Charan Pal Bahadur said :—

"My Lord, although this matter was not referred to the Corporation it was discussed in one of our committees and the Hon'ble Maharajadhiraja Bahadur of Burdwan is quite right in saying that the Calcutta Municipal Bill contained certain provisions—I may say additional provisions—which would adequately check this evil in Calcutta. They therefore felt no necessity for pressing for an extension of this Act to Calcutta. I believe everyone is anxious that there should be adequate check over the sale of adulterated foodstuffs in Calcutta as well, and I am sure that when the Act is amended and when the emergency legislation foreshadowed in the speech of the Hon'ble Maharajadhiraja Bahadur and requested by the Corporation is passed, there will be no difficulty in coping with the evil in Calcutta.

With reference to the Hon'ble Maharajadhiraja Bahadur's observation that the two gallant gentlemen (meaning my honourable colleague Rai Bahadur Debender Chunder Ghose and myself) did not thank Government for acceding to the request of the Corporation to take up an emergency legislation for the better control of food and drugs in Calcutta and in connection with certain other matters I did not know that Government were in need of compliments. We were talking about the constitution of the Corporation,

*The Bengal Food Adulteration Bill, 1919.**Rai M. C. Mitra Bahadur ; Babu K. M. Chaudhuri.*

and the question of emergency legislation did not arise. However, I shall bear it in mind and will never let an opportunity pass of paying a compliment to Government for any little act of kindness and justice or for doing their duty, at least so long as the Hon'ble Member occupies an honoured place in the counsels of Government."

The Hon'ble Rai Mahendra Chandra Mitra Bahadur said :—

"My Lord, I have already submitted my views in connection with the amendment. To my mind it appears that the Act as it is ought to be exhaustive and applicable to the whole Province inclusive of Calcutta. When the Ghee Act was passed there was a saving clause that notification may be made with regard to its operation in the mufassal. But, my Lord, that Act is applicable, as far as I understand and as far as my information goes, only to Calcutta. If there be one Act applicable to the mufassal and another to Calcutta there may be some difficulty. I always thought it necessary that in cases like this, where adulterated food is the subject matter of consideration, there ought to be one Act applicable to the whole Province. Why do I say that? Because, in the mufassal where food is adulterated, the practice may be checked if the whole thing is brought under the control of one and the same authority. That is the view, my lord, which persuaded me to come to the Council and ask for the consideration of your Excellency's Council whether this Bill ought to have its operation in Calcutta or not. The Hon'ble Maharajadhiraja Bahadur of Burdwan has told me that there will be an emergency Bill, but it is not known as yet what the Bill will contain, but if all the difficulties which I have submitted to the Council are obviated under the provisions of the emergency Bill I have nothing more to say and I find that the representative of the Calcutta Corporation also agrees with the views of the Hon'ble Maharajadhiraja Bahadur of Burdwan. I think I had better withdraw this amendment and leave the matter as it now stands."

The motion was then, by leave of the President, withdrawn.

AMENDMENT No. 4.

The Hon'ble Babu Kishori Mohan Chaudhuri moved that the words "after previous publication", in line 4 of sub-clause (2) of clause 1, be omitted.

He said :—

"My Lord, I think I should not press for this amendment. On reconsideration I see that 'after previous publication' has been rightly introduced in the Bill. I, therefore, beg leave to withdraw the motion."

The motion was then by leave of the President withdrawn.

AMENDMENT No. 5.*Clause 2.*

The Hon'ble Babu Kishori Mohan Chaudhuri moved that after sub-clause (4) of clause 2, the following be inserted, namely :—

"(4a) 'offence' means anything made punishable by this Act."

He said :—

"My Lord, I think 'offence' should be defined. I have not consulted the Bengal General Clauses Act very carefully and I do not know whether that Act would cover this. In the case of the Village Self-Government Act 'offence' had to be defined. So I think it should be defined in this Act too."

The Bengal Food Adulteration Bill, 1919.

*The Maharajadhiraja Bahadur of Burdwan; Babu K. M. Chaudhuri;
Rai R. C. Pal Bahadur; Mr. Goode.*

The Hon'ble Maharajadhiraja Bahadur of Burdwan said :—

"My Lord, the Hon'ble Member's intention is to make the section stronger and more free from any possible legal flaw and I would have welcomed his proposal if it had appeared necessary from this point of view. Government are, however, advised that there is no necessity to define the word 'offence', as the definition in section 3 (30) of the General Clauses Act, to which some reference has been made by the Hon'ble Member, will apply. The amendment is unnecessary, and I hope the Hon'ble Member will not press it."

The Hon'ble Babu Kishori Mohan Chaudhuri said :—

"In view of the fact that it is covered by the General Clauses Act, I do not press it."

The motion was then, by leave of the President, withdrawn.

AMENDMENT No. 6.*Clause 5.*

The Hon'ble Rai Radha Charan Pal Bahadur moved that the words "to the prejudice of the purchaser", in lines 2 and 3 of sub-clause (1) of clause 5, be omitted.

He said :—

"My Lord, the words 'to the prejudice of the purchaser' will, I think, hamper prosecutions. It is rather difficult to prove and this is the view not only of myself but also of the Collector of Rangpur and some other gentlemen, who have given their opinions on the clause. I do not know whether the attention of the Select Committee was drawn to it, but the report does not show on what ground the suggestion was not accepted. After full consideration I would suggest the deletion of the words 'to the prejudice of the purchaser'."

The Hon'ble Mr. Goode said :—

"My Lord, I quite agree with the Hon'ble Rai Radha Charan Pal Bahadur that it will be necessarily difficult to prove prejudice in the case of a prosecution and that Government will be very well advised to accept the amendment which the Hon'ble Mover has now placed before the Council if such proof is necessary. But as a matter of fact there are several very clear rulings in the English Courts which show that actual prejudice or damage need not be proved in establishing an offence under the section of the English Act which resembles the drafting of the clause which is now before the House. These words also occur in the United Provinces Act of 1912, and Government are advised that it runs no risk in retaining these words within the Bill. I appreciate the desire of the Hon'ble Member to make this Act as effective and free from flaw as possible and we would very gladly accept his amendment if it appeared to be necessary. The Hon'ble Rai Bahadur may admit that there is some force in the precedent that I have urged but at the same time I apprehend he may ask me why, if there is any doubt in the matter, when the English Courts have taken several years to arrive at a clear decision on the meaning of the words in the Act, we should run any risk of similar doubts in the Courts of Bengal. I think, my Lord, that argument would be very well taken, but for one fact, and that is this : that various absurdities will arise if we delete these words from the clause as it now stands. The English Courts

The Bengal Food Adulteration Bill, 1919.

Rai R. C. Pal Bahadur ; Babu K. M. Chaudhuri ; The President.

have expressly ruled on several occasions that these words were inserted in the English Act purely with the intention of protecting a tradesman who sells, for example, a superior article to that which is asked for by the purchaser. It certainly will be an absurdity if the tradesman who sells a superior article is liable on a very technical interpretation of the clause to prosecution. The English Courts, therefore, held that the words were expressly inserted in the English Acts to prevent this anomaly arising. In view of these circumstances, my Lord, I hope that the Hon'ble Rai Bahadur will withdraw this amendment. We must be guided in such matters by our law officers and I think I can confidently assure him that the difficulty which he apprehends will never arise."

The Hon'ble Rai Radha Charan Pal Bahadur said :—

"I thank the Hon'ble Mr. Goode for his lucid explanation of this point. I quite appreciate that this matter has received careful consideration at the hands of Government.

I may say without hesitation that we are deeply grateful to Government for introducing this measure which is a very beneficial piece of legislation. It is free from political controversy as it is not a measure in which we are scrambling for power, but it is a measure which is designed in the interests of public health. Our suggestions are, however, made merely with the object of helping the Government as far as it lies within our power to improve the Bill. In view, however, of the explanation that has been given by the Hon'ble Mr. Goode, I beg to withdraw this motion."

The motion was then, by leave of the President, withdrawn.

AMENDMENT No. 7.

The following amendment being analogous to Amendment No. 6 was deemed to have been withdrawn :—

The Hon'ble Babu Kishori Mohan Chaudhuri to move that for the words "the prejudice of the", in line 3 of sub-clause (1) of clause 5, the word "any" be substituted.

AMENDMENT No. 8.

New clause 9 A.

The Hon'ble Rai Radha Charan Pal Bahadur was to have moved that after clause 9 (now clause 8) the following be inserted, namely :—

"9A. (1) No person shall sell, expose for sale, or manufacture or store for sale any article of food which is diseased, unsound, unwholesome or unfit for human consumption or the nature, substance or quality of which has deteriorated through exposure, age, atmospheric action or damage from fire or water, or through any other cause.

(2) In any prosecution under this section the Court shall, unless and until the contrary is proved, presume that any article of food found in the possession of a person who is in the habit of keeping articles of food for human consumption has been so manufactured or stored for sale by such person."

The President said :—

"This motion is beyond the scope of the Bill. It is also unnecessary ; and if the Hon'ble Member will look up the Bengal Municipal Act, he will find that a similar section, namely, 250, exists in the Act ; so that this proposal is in any case not necessary. Moreover, in view of the decision of the Council with regard to the preamble of the Bill, it will now be out of order as being beyond the scope of the measure."

The motion was then deemed to have been withdrawn.

*The Bengal Food Adulteration Bill, 1919.**Rai R. C. Pal Bahadur ; Mr. Goode.***AMENDMENT No. 9.***Clause 11.*

The Hon'ble Rai Radha Charan Pal Bahadur moved that the following be added to clause 11 (now clause 10), namely :—

“(4) Any purchaser may also require, by tender of the price, the sale to him for the purpose of analysis of such quantity of any food exposed or intended for sale, as is reasonably requisite for analysis, and any person in possession of, or exposing the same for sale, shall be bound to sell such quantity.”

He said :—

“My Lord, clause 11 (now clause 10) relates to the compulsory sale by any purchaser of goods for purposes of analysis. My proposition goes a little beyond what is contemplated in this clause. I move that the purchaser may also require, by tender of the price, the sale to him for the purpose of analysis of such quantity of any food exposed or intended for sale, as is reasonably requisite for analysis, and any person in possession of, or exposing the same for sale, shall be bound to sell such quantity.

My object is to enable any private person and not merely a person duly authorized by the local Government—to purchase articles of food for analysis and to make it clear that the shop-keeper is bound to sell the articles to him. I know that both clauses 10 (now clause 9) and 12 (now clause 11) give authority to any person duly authorized by the local Government or under rules made under this Act to purchase any article for the purpose of analysis, but it is not clearly specified whether a seller shall be bound to sell to a private person for the purpose of analysis, and I want it to be clearly stated in the Bill. This clause is suggested by the Anglo-Indian Association in their opinion on this Bill. I do not know the view of the Hon'ble Member in charge of the Bill with respect to this clause, but I shall be glad to hear him on the subject.”

The Hon'ble Mr. Goode said :—

“My Lord, the department thoroughly appreciates the intention of the Hon'ble Member to render the law as effective as possible ; and I think the reason why so few of the amendments which have been before the House appear necessary, is because the Select Committee went into this Bill with very special care and attention.

In regard to the amendment which is now before the House, I think that the Hon'ble Rai Bahadur will admit that it is somewhat superfluous and unnecessary. Clause 12 (now clause 11) of the Bill provides that any person who has purchased any article of food may inform the vendor that he will have an analysis made, and a certain procedure is laid down which he must adopt for that purpose. Now, the intention of the Hon'ble Rai Bahadur's amendment is that any private purchaser should be in a position to demand the compulsory sale of any article of food which he wishes to be analysed. In the first place, I think the amendment, if accepted, would really prove a dead letter. I cannot conceive that any one in Calcutta is going to make it his business to go round to markets and shops in order to expose himself to the odium of demanding samples to be sent to the Health Officer or to the authority who will administer this Act. As the Hon'ble Rai Bahadur knows, food inspection in the Corporation is very difficult to work and I think that no private person is likely to take upon himself the burden, and, I may say, to incur the odium which a Food Inspector must incur in the course of his duties. I think it is sufficient that he should have the powers which clause 12 of the Bill gives him ; and I have little doubt that the Rai Bahadur will on further reflection accept the assurance that his amendment is not really required. I am, therefore, compelled to oppose the amendment ; but I hope the Hon'ble Rai Bahadur will withdraw it.”

*The Bengal Food Adulteration Bill, 1919.**Rai R. C. Pal Bahadur.***The Hon'ble Rai Radha Charan Pal Bahadur** said :—

"My Lord, I have listened with great attention to the observations of Mr. Goode. I want to explain, my Lord, that clause 12 (now clause 11) gives the right to any private person or purchaser, when he wishes to have an article of food analysed, after the purchase, to declare it to the seller that he is going to have it analysed. He may take a sample and send it to such analyst as the Government may appoint. I am giving a concrete instance :— Suppose a public-spirited gentleman finds that a grocer systematically sells adulterated food-stuff to the public in spite of the Sanitary Inspector or the Food Inspector. He may take a sample. If the purchaser happens to live in the same quarter in which the shop is situated, he will have great trouble in getting it the next time, as the grocer may say I won't sell you because on the last occasion when I sold you you sent it to a public analyst and that person cannot compel him to sell the article. The efforts of the local authorities, under the present provision, will not be supplemented by public-spirited gentlemen who may otherwise be inclined to do so. Mr. Goode says that private persons would not care to undertake the trouble, but times are changing, and we are now aspiring for reforms in all directions when we should be expected to look to these little things ourselves.

I think, my Lord, that the public will supplement the efforts of the local authorities. In spite, therefore, my Lord, of what has fallen from Mr. Goode, I respectfully press my motion for the consideration of this House.

The motion being put, a division was taken with the following result :—

Ayes—13.

The Hon'ble Babu Brojendra Kishor Ray Chaudhuri.
 " Mr. Arun Chandra Singha.
 " Rai Radha Charan Pal Bahadur.
 " Sir Frank Carter, K.T., C.I.E., C.B.E.
 " Mr. G. A. Bayley.
 " " H. R. A. Irwin, C.I.E.
 " Maulvi Abul Kasem.
 " " A. K. Fazl-ul Haq.
 " Babu Bhabendra Chandra Ray.
 " Mr. Altaf Ali.
 " Rai Sri Nath Ray Bahadur.
 " " Mahendra Chandra Mitra Bahadur.
 " Babu Kishori Mohan Chaudhuri.

Noes—25.

The Hon'ble Sir Henry Wheeler, K.C.I.E., C.S.I.
 " Mr. J. G. Cumming, C.S.I., C.I.E.
 " Sir Bijay Chand Mahtab, K.C.S.I., K.C.I.E., I.O.M., Maharajadhiraja Bahadur of Burdwan.
 " Mr. J. H. Kerr, C.S.I., C.I.E.
 " " F. C. French, C.S.I.
 " " J. Lang.
 " " J. F. Graham.
 " " C. F. Payne.
 " " M. C. McAlpin.
 " " S. W. Goode.
 " " F. A. A. Cowley.
 " Col. J. K. Close, M.D., I.M.S.
 " Mr. T. O. D. Dunn.
 " " J. Donald, C.I.E.
 " Khan Bahadur Maulvi Aminul Islam.
 " Sir Rajendra Nath Mukharji, K.C.I.E.
 " " Nilratan Sarkar, K.T.
 " Mr. R. V. Mansell, O.B.E.
 " Raja Hrishikesh Laha, C.I.E.
 " Babu Siv Narayan Mukharji.
 " Kumar Shib Shekhareswar Ray.
 " Sir Deba Prasad Sarbadhikari, K.T., C.I.E.
 " Dr. Abdulla-al-Mamun Suhrawardy.
 " Khan Sahib Aman Ali.
 " Babu Surendra Nath Ray.

The Bengal Food Adulteration Bill, 1919.

The President ; Rai R. C. Pal Bahadur ; Rai M. C. Mitra Bahadur.

The following member abstained from voting :—

The Hon'ble Rai Debender Chunder Ghose Bahadur.

The following members were absent :—

The Hon'ble Nawab Bahadur of Murshidabad.

Mr. W. H. H. Arden-Wood, C.I.E.
 „ Aminur Rahman.
 „ L. V. N. Meares.
 „ Provash Chandra Mitter, C.I.E.
 „ W. H. Phelps.
 „ M. Ashraf Ali Khan Chaudhuri.
 „ Babu Akhil Chandra Datta.
 „ Mahendra Nath Ray, C.I.E.
 „ Mr. K. B. Dutt.
 „ Babu Ambika Charan Mazumdar.

The Ayes being 13 and the Noes 25 the motion was lost.

AMENDMENTS Nos. 10, 11 and 12.

The President said :—

Items Nos. 10, 11 and 12 are consequential on item No. 8 and are, therefore, out of order.

The following amendments were then deemed to have been withdrawn.

Clause 13 (now clause 12).

The Hon'ble Rai Radha Charan Pal Bahadur moved that after the word “adulterated” in line 2 of sub-clause (2) of clause 13, the following be inserted, namely :—

“or deteriorated in regard to its quality, nature or substance, or diseased, unwholesome, unsound or unfit for human consumption.”

Clause 14 (now clause 13).

The Hon'ble Rai Radha Charan Pal Bahadur to move that after the word “adulterated”, in line 2 of sub-clause (2) of clause 14, the following be inserted, namely :—

“or deteriorated in regard to its quality, nature or substance, or diseased, unwholesome, unsound or unfit for human consumption.”

The Hon'ble Rai Radha Charan Pal Bahadur to move that after the word “adulterated”, in line 2 of sub-clause (3) of clause 14, the following be inserted, namely :—

“or deteriorated in regard to its quality, nature or substance, or diseased, unwholesome, unsound or unfit for human consumption.”

AMENDMENT No. 13.

Clause 15 (now clause 14).

The Hon'ble Rai Mahendra Chandra Mitra Bahadur moved that in line 10 of the proviso to clause 15 (now clause 14) after the words “the said Court”, the following be inserted, namely :—

“and the said report shall be admissible in evidence in such Court”.

*The Bengal Food Adulteration Bill, 1919.**The Maharajadhiraja Bahadur of Burdwan; Rai M. C. Mitra Bahadur.*

He said :—

“My Lord, this amendment is a very small one, and I think that it is necessary to add the words as suggested because a question may hereafter arise as to the advisability of such a measure.”

The Hon'ble the Maharajadhiraja Bahadur of Burdwan said :—

“My Lord, the main principle underlying the whole of this Bill is to give better food to the people of Bengal, and to make their food more *madhu*, that is, sweet and wholesome. I am glad that this last amendment should be *madhurena samapayet*. I would like to accept the amendment with some slight modification. What I would like to point out is that it would be better to add the words ‘in such courts’ as it now appears in the paper provided that the word ‘and’ which occurs before ‘the expense of such analysis’ in line 10 of the proviso is deleted, and if the Hon'ble Member who has moved this amendment is willing to the deletion of the word ‘and’ before the words ‘the expense of such analysis’ in line 10 of the proviso, then I have no objection to accepting his amendment.”

The Hon'ble Rai Mahendra Chandra Mitra Bahadur said :—

“My Lord, I have no objection to the suggestions which have been made.”

The motion was then put in the following amended form and agreed to :—

That after the words “the said Court,” the following be inserted, namely :—

“and the said report shall be admissible in evidence in such Court”; and that the word ‘and’ before the words ‘the expense’ be omitted.

AMENDMENT No. 14.*Clause 21.*

The Hon'ble Rai Radha Charan Pal Bahadur was to have moved that after the fifth item in the table in clause 21, the following be inserted, namely :—

Section 9A.	...	Sale, etc., of unwholesome food.	One hundred rupees	...	Five hundred rupees.
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The President said :—

“This motion is consequential on amendment No. 8, and is, therefore, out of order as being beyond the scope of the Bill.”

The amendment was then deemed to have been withdrawn.

LIST OF BUSINESS—ITEM Nos. 6 AND 7.

The Hon'ble Sir Bijay Chand Mahtab, Maharajadhiraja Bahadur of Burdwan, moved that the Secretary be directed to re-number the clauses and sub-clauses of the Bill in consecutive order and to make corresponding alterations in all cross-references thereto.

The motion was put and agreed to.

*The Calcutta and Suburban Police (Amendment) Bill, 1919.**Sir Henry Wheeler.*

The Hon'ble Sir Bijay Chand Mahtab, Maharajadhiraja Bahadur of Burdwan, also moved that the Bill, as settled in Council, be passed.

The motion was put and agreed to.

LIST OF BUSINESS—ITEM Nos. 8 AND 9.**THE CALCUTTA AND SUBURBAN POLICE (AMENDMENT) BILL, 1919.**

The Hon'ble Sir Henry Wheeler moved for leave to introduce a Bill further to amend the Calcutta Police Act, 1866, and the Calcutta Suburban Police Act, 1866.

He said :—

“My Lord, the Bill which is already in the hands of Hon'ble Members and which I now ask permission to introduce, is a short Bill, and I trust that my remarks in explaining its provisions may be brief. It will be observed that the Bill, in its two material clauses, deals with the amendment of two sections of the Calcutta and the Suburban Police Acts; but as these two sections in their respective Acts are drafted on analogous lines, I will quote in detail only that which is in the Calcutta Police Act.

In clause 2 of the Bill, we propose to amend section 9 of the Calcutta Police Act. Section 9 runs as follows :—

‘The Police force shall be under the exclusive direction and control of the Commissioner of Police, who may from time to time, subject to the approbation of the said Lieutenant Governor, frame such orders and regulations as he shall deem expedient relating to the general government of the force, the places of residence, the classification, rank, distribution and particular service of the several members thereof, their inspection, the description of arms, accoutrements and other necessities to be furnished to them, and all such other orders and regulations relative to the said Police-force as the said Commissioner shall from time to time deem expedient for preventing neglect or abuse and for rendering such force efficient in the discharge of all its duties.’

There are two points in the section to which I would invite special attention. The first is its wide nature, covering, in effect, the whole ordinary administration of the force and the details connected therewith. The second is the use of the somewhat unusual word in modern legislation—‘approbation’, and this particular amendment in the Bill relates to that word ‘approbation’. It is a somewhat unusual word, as I have said, and I have been unable to trace any detailed discussion of it in connection with the Act of 1866; it seems to have been a legacy from the original Police Act of 1856, and has, therefore, stood in the section for a long time. But in more modern Acts, as the Council is aware, the distinction in the matter of outside control is usually made between two methods: first, certain things may be permissible subject to previous sanction—it may be of the local Government or of the Government of India—which means that action cannot be taken without the prior sanction of superior authority. Or again, certain things may be permissible subject to the control of the local Government or of the Government of India, as the case may be, which means that the superior authority has a statutory right of supervision and interference, if necessary, with the act of the subordinate authority, but that the latter need not refer for sanction before taking action. These are the two ordinary expressions employed in Acts now-a-days, and the question is, what exactly does approbation

*The Calcutta and Suburban Police (Amendment) Bill, 1910.**Sir Henry Wheeler.*

mean? Does it mean subject to the prior sanction, or merely subject to control? Now, as a matter of fact, it has always, for practical purposes, been interpreted hitherto, as subject to the control of the local Government, and in that view the Commissioner of Police, in the vast majority of cases, passes orders under this section relative to the government of the force and the other details mentioned without any prior reference to the local Government. And I submit to the Council that it is necessary that he should do so. He has done so in the past and no evil effects have resulted therefrom. It is essential that he should have this power in order to ensure the maintenance of discipline in a large and populous city like Calcutta, where the force consists of numerous bodies of men congregated together, and where any deterioration of the authority of the Commissioner of Police is likely to have serious and unfortunate consequences. Such deterioration of authority might easily result, were it open to question whether an order of the Commissioner of Police had or had not received the prior sanction of the local Government. In many cases, indeed, it might be difficult, if not impossible, for the Commissioner to obtain the prior sanction of the local Government, for instance, if orders had to be passed in an emergency. For these reasons the proposal of the Bill is to substitute the word 'control' for the word 'approbation', thus regulating what is, in effect, the existing practice.

The second amendment relates to section 10 of the Calcutta Act, which gives power to the Commissioner to suspend or dismiss any member of the force. The difficulty which has arisen in that connection relates to a case which has also brought to the fore the desirability of the amendment of section 9, which I have already explained. It is a case which has recently occupied the attention of the Police Court and the High Court in Calcutta. The facts are briefly these: a charge was laid in one of the police stations by a private complainant against a certain person, and in connection with that charge a head constable misconducted himself and was ordered to be prosecuted, as I understand, for extortion. It is usual when charges of a serious nature are brought against a member of the police force to suspend him, and so this man was suspended. In accordance with standing orders and long-standing practice in the Calcutta Police, a man under suspension is directed to be detained in barracks at the police head-quarters at Lal Bazar pending the disposal of his case, and in this instance such an order was actually passed by the Deputy Commissioner, and the man was accordingly sent to Lal Bazar. He was then put on his trial on the charge of extortion preferred against him, and the Magistrate passed an order releasing him on bail; but under the disciplinary measures of the Commissioner of Police he was again sent back to Lal Bazar to remain there pending the final disposal of the case. He then complained against the Deputy Commissioner for wrongful confinement. The complaint was dismissed by the Presidency Magistrate. A motion was made to the High Court against that order, when two grounds were urged. The first was that this standing order of the Commissioner of Police was not a legal order, in so far as it had not received the prior approbation of the local Government. That is taking us back to clause 9, with which I have just been dealing, and it emphasises the defect which we now seek to make good. The second point taken was that, even had it been a legal order in this respect, the Commissioner of Police could not have passed it in respect of a man who was under suspension and over whom his disciplinary powers had ceased. In the High Court the Advocate General stated that he was not prepared to maintain that these technical defects were non-existent, and the case was then sent back for retrial, that is, the complaint against the Deputy Commissioner was sent back for retrial. This naturally drew our attention to the question how it happens, contrary to the procedure under the general Police Act (V of 1861), that the police authorities have no disciplinary powers over a man under suspension. That used

*The Calcutta and Suburban Police (Amendment) Bill, 1919.**Sir Henry Wheeler.*

to be the case in respect of the district police, but attention was drawn to the defect about the year 1895 by two rulings of two different High Courts which maintained that view. It was then considered that it was most undesirable that the position should be as ruled by the Courts, and, as a result, the general Police Act was amended in 1895. I will read the remarks of Sir Anthony MacDonnell on this point, which explain the reasons of the change which was then effected. He said :—

“ Another provision connected with the internal discipline of the force is meant to affirm the legal responsibilities of a police-officer while under suspension. Doubts have been entertained whether, by the law as it at present stands, a police-officer, if placed under suspension, is not *ipso facto*, and so long as his suspension lasts, freed from his duty of obedience to his superiors. There can, I think, be no doubt as to its being desirable that a policeman, although under suspension, should remain subject to the obligations of duty and discipline till discharged from the service. A policeman while under suspension cannot well be turned out of barracks, while discipline in barracks must be maintained and insubordination or misconduct punished. It is therefore obviously desirable to make it clear that until a police-officer is discharged from the service he shall be subject to all the duties and responsibilities attaching to his position.”

These were the reasons given by Sir Anthony MacDonnell in 1895, and they were accepted by those consulted as eminently reasonable. There was practically no comment regarding them, and the general Police Act was amended on those lines. Apparently by an oversight—it must be remembered that the general Police Act is an Act of the Imperial Council while our Acts are Acts of the local Council—the Calcutta Act was not amended in a similar way, but all these years disciplinary measures have been taken against men under suspension and nobody has ever objected or drawn attention to the point. Now that attention has been drawn to it, however, in the manner which I have indicated, we seek to rectify the defect by inserting in our Calcutta Acts an amendment precisely similar to that which obtains in section 8 of the general Act.

That, Sir, is the Bill. It desires to make two changes which are merely in accordance with long-standing practice, which have worked without harm to anybody and without objection hitherto, but to the underlying defects of which attention has been drawn by a recent ruling of the Calcutta High Court. There is nothing new in the proposal, in so far as it is an embodiment of existing procedure, and, in respect of section 10 of the Calcutta Act, an embodiment of the precedent which has existed in the general Police Act since 1895.”

The motion was put and agreed to.

The Hon'ble Sir Henry Wheeler also moved that the said Bill be referred to a Select Committee consisting of the Hon'ble Mr. Kerr, the Hon'ble Mr. French, the Hon'ble Mr. Graham, the Hon'ble Mr. Mansell, the Hon'ble Rai Radha Charan Pal Bahadur, the Hon'ble Dr. Abdulla-al-Mamun Suhrawardy and the mover, with instructions to submit their report in time for its consideration at the August meeting of the Council in Dacca.

He said :—

“ My Lord, as regards this motion I would merely add one explanatory remark as to why I am proposing to take up this Bill at Dacca. The reason is that in certain aspects the defects that have been revealed by the recent decision of the High Court are rather serious, and advantage might be taken of them seriously to interfere with the authority of the Commissioner of Police and the discipline of the force. I have indicated in my previous remarks that, in the circumstance of a large city like Calcutta, that is a position which we could not face with equanimity, and in so far as the Bill itself is a very short one, and in so far as it merely seeks to make legal what has actually been done for many years, we have thought it justifiable to propose that the further consideration of the Bill should be taken up at the next meeting of Council.”

*The Calcutta and Suburban Police (Amendment) Bill, 1919.**Rai M. C. Mitra Bahadur.*

The Hon'ble Rai Mahendra Chandra Mitra Bahadur said :—"My Lord, one portion of the Bill proposes to substitute the word 'control' for the word 'approbation' in section 9 of Ben. Act IV of 1866 (The Calcutta Police Act) and section 3 of Ben. Act II of 1866 (The Calcutta Suburban Police Act). From the Statement of Objects and Reasons I notice that the author of the Bill states : 'That the meaning of the term approbation has never been judicially determined, but it might be held to require each individual order relating to the discipline of the Police force to be submitted to Government for approval before issue by the Commissioner of Police' and it is suggested that this would be impracticable, neither is it necessary ; and that the term 'control' is the expression ordinarily used in similar circumstances in modern legislation. I venture to submit that the legislation proposed is hardly necessary for various reasons. Since the year 1856, the Indian Legislature thought fit to express its idea on the subject by using the word approbation. In section 8 of Act XIII of 1856 (an Act for regulating the Police of the towns of Calcutta, Madras and Bombay), I notice that the word approbation finds a place. This section lays down that 'the Police force shall be under the exclusive direction and control of the Commissioner of Police, who may, from time to time, subject to the approbation of the Local Government, frame such order and regulations as he shall deem expedient, relative to the general government of the force, the places of residence, the classification, rank, distribution and particular service of the several members thereof ; their inspection, the description of arms, accoutrements and other necessities to be furnished to them ; and all such other orders and regulations relative to the said police force as the said Commissioner shall from time to time deem expedient for preventing neglect or abuse and for rendering such force efficient in the discharge of all its duties.' The repealing Act XII of 1873 repealed Act XIII of 1856. The new Calcutta Police Act, IV of 1866 (B.C.) retained the spirit and the language of the old Act and I notice that section 9 of the new Act is a reproduction of section 8 of the Act of 1856. The Bengal Legislature accepted the language of the Supreme Legislature. This Act is in force up to the present moment. The Suburban Police Act also retains the same spirit and language as I find in section 9 of the Calcutta Police Act (*vide* section 3 of Ben. Act II of 1866).

When we turn to Act V of 1861, known as Mufassal Police Act, the same spirit and language are noticed, *vide* section 12 of Act V of 1860. It is an Act of the Indian Legislature ; chronologically it is earlier than the Acts of 1866. The difference in the provisions of the Calcutta Police Act and the Suburban Police and those of Act V of 1861 is that the Inspector-General of Police exercises the powers given in the place of the Commissioner of Police. My submission is that since the last 50 years the Bengal and the Imperial Legislatures have thought fit to retain the spirit and the language on this particular point under discussion. Act VIII of 1895, which was an amendment of the Police Act of 1861, did not modify the provisions of section 8 of Act V of 1861 as suggested in the present Bill. These Acts were subjected to criticism by distinguished lawyers and administrators for obvious reasons. The Police have got large powers and it is for the interest of the people that the orders and rules or regulations should be subject to the approbation or approval or sanction of the Local Government. The interest of the public is thus safeguarded by the Local Government. The judgment of the Commissioner of Police cannot be of a superior kind to that of the Government and the Bill suggests to delete the word approbation and substitute the word 'control.' The Imperial Legislature, Act V of 1861, in dealing with such cognate powers and privileges has retained the word 'approval' in section 12 of the Act. The provisions of Act V of 1861 affect a larger portion of India, whereas the proposed Bill intends to apply its provisions to a smaller section of the community. I have discussed the principles of the Bill from various standpoints.

*The Calcutta and Suburban Police (Amendment) Bill, 1919.**Maulvi A. K. Fazl-ul-Haq.*

My lord, the proposed alteration will not be appropriate. I notice that the Bill suggests that the police force being under the control of the Commissioner of Police he is to frame rules and orders subject to the control of the Local Government, that means without the previous approval of the Local Government. I think no orders or rules of the Commissioner of Police shall be given effect to without the approval of the Local Government.

Another principle to be considered is whether this alteration is necessary at all. General orders and rules are based upon generalizations. Each concrete case must fall within their purview.

The effect of the change will be that the Police Commissioner may frame rules without the knowledge of the Local Government and give effect to them though subject to the general control of the Local Government. Under the present law in force the orders and rules will not be legal unless they are scrutinized and approved of by Government. The present law makes it incumbent upon two persons to examine the legality, practicability and desirability of the rules before they are put in force. The Bill suggests merely that the Police Commissioner will have the sole power of enacting rules and the Local Government will have only power to control them. One will feel a difficulty to apprehend how the Local Government will control rules which have been with full authority enacted and already given effect to by the Commissioner of Police. Even if the procedure for approval of the orders and rules be a little dilatory, the Police Commissioner should, by the light of his experience, get them ready beforehand, before any individual occasion arises. To avoid little delay, the framing of effective rules cannot be given to one individual."

The Hon'ble Maulvi A. K. Fazl-ul-Haq said :—

"My Lord, I am extremely sorry that, as at present advised, I feel constrained to oppose this motion. I am in general agreement with what has fallen from the Hon'ble Rai Mahendra Chandra Mitra Bahadur and I therefore propose to be very brief. It seems to me that although the amendments that have been proposed seem to be modest and unassuming enough, they involve changes having a far-reaching effect and it is therefore necessary that the motion which is now before the House should be subjected to some scrutiny.

My Lord, there are ordinarily four stages before any intended piece of legislation is moulded into statute law. There is first of all the stage when it is first introduced into Council and when Government explain generally the reasons why legislation on particular lines is being undertaken. The second stage is as laid down by rule 30 of the Business Rules, which lays down that when a Bill has been introduced it shall together with the Statement of Objects and Reasons, be published in the *Calcutta Gazette*. The third stage is what I may call the committee stage, when the Bill is referred for close examination and scrutiny by a Select Committee of the House, and the fourth and the final stage is when the Bill is taken up with proposed amendments for discussion in Council and ultimately passes into law. I submit that of all these four stages the second is by far the most important and for the following reasons. When Government propose legislation of a certain character they explain their reasons when the Bill is introduced and they take the public into confidence by giving out the reasons which have prompted Government to undertake that particular piece of legislation. It may be that the public also are of opinion that legislation of a particular character ought to be undertaken, or it may be that the public are not. It is for this reason that when the Bill is published in the *Calcutta Gazette*, the public are thereby invited to offer criticisms on the principles of the Bill and also to consider whether legislation should be undertaken at all and, if undertaken, whether it should be on the lines proposed by Government. I therefore submit

*The Calcutta and Suburban Police (Amendment) Bill, 1919.**Maulvi A. K. Fazl-ul-Haq.*

that it is the second stage which gives the public an opportunity of criticising the principles of the Bill and this privilege should not be taken away unless it be for very urgent and strong reasons. In this particular case it is all the more necessary because, as I have submitted, although there are only two small clauses to be added to the Act, they confer very large powers on the Commissioner of Police and, secondly, they also take away to a certain extent the right of a police officer who may, for a period, be under suspension from taking steps with a view to defending himself. Now it may be that after a Bill is published and sufficient cause is shown, legislation would not be undertaken and the proposed Bill might be withdrawn altogether. It is therefore that the second stage is the most important and should never be overlooked. In this particular case the course that is proposed is this: the Bill has been introduced formally only to-day and it is proposed to ignore rule 30 of the Business Rules and to refer the Bill at once to a Select Committee. So far as I have been able to gather from the speech of the Hon'ble Member in charge I have not been able to make out that any case exists for ignoring the provisions of rule 30 of the Business Rules. It has been pointed out by the Hon'ble Mahendra Chandra Mitra Bahadur that these two amendments are proposing changes regarding certain expressions which have been in the Act for more than a century. The first proposal is to substitute the word 'control' for 'approbation.' This seems to be an innovation which I would submit is somewhat without precedence, except it be that it is proposed to confer on the Commissioner of Police much wider powers than he enjoys at present. As has been pointed out the word 'approbation' existed in the earlier Act, XIII of 1856, which was the predecessor of the Calcutta Police Act. Section 8 of that Act spoke of approbation of the rules by the Local Government. As has been pointed out also, these very words occurred in the general Police Act of 1861 and it was not thought necessary to amend that Act. There is another matter which I would submit for the consideration of the Council and which has not been touched upon, and it is this. The Bengal Act has been amended no less than eleven times and on no occasion was it considered necessary to undertake legislation on the line that is proposed to-day. Leaving aside the amendments that have been introduced by all-India legislation, we find that the Bengal Act has been amended by the following Acts of the Bengal Council—II of 1867, I of 1869, II of 1876, IV of 1879, II of 1886, I of 1890, II of 1895, III of 1897, VI of 1905, III of 1907 and III of 1910. How is it, if these amendments are so very necessary that it is proposed to ignore the Rules of Business, that they really escaped the attention of the administrators for over 53 years? How is it that on these eleven occasions it was not even suggested that legislation on these lines is necessary? I submit therefore that no case has been made out for rushing through the legislation in the manner proposed to-day. Then, my lord, the Hon'ble Member in charge has remarked that recent judicial proceedings have brought to light the defects in the Calcutta Police Act. I submit it is not a compliment to those who framed the Act nor to the administrators who have administered the Act for a long time. I need not detain the Council very long upon this point because my hon'ble friend has already pointed out that it would be a dangerous innovation to take away the provision that the rules framed by the Commissioner of Police should be subject to the control of the Local Government. As a justification it is said that this has created inconvenience. If serious practical difficulties have not occurred since 1866 when the Calcutta Acts were passed or 1861 when the India Act was passed, I may hope that nothing serious will happen if legislation is undertaken in the ordinary course. Before I sit down I may cite the opinions of two learned Judges of the Calcutta High Court as cited in 7 C. W. N., page 883, on this point, although I must say that the word 'approbation' has not received any judicial interpretation yet. Their lordships expressed the opinion that rules so framed ought to be published for

*The Calcutta and Suburban Police (Amendment) Bill, 1919.**Rai R. C. Pal Bahadur; Sir Henry Wheeler.*

general information. And I submit that so far as this power of the Commissioner of Police is concerned it affects the public very materially and does not merely affect the control of the police force. It is, therefore, necessary that when rules are framed under this power vested in the Commissioner of Police the said rules should be published, or at any rate should be subject to the control of the Local Government.

My Lord, one word about the proposal of passing this measure in the Dacca session. I do not know what the feeling of other members on this point may be. But on my part I oppose this suggestion in spite of my advocacy of the claims of the eastern capital of Bengal. It is well known that most non-official members absent themselves from Dacca and Government will have an absolute majority there. Amendments might be proposed only to be defeated and it is certain Government will be able to carry this legislation through in any manner they like. But would it satisfy the public? Is it proper that legislation of such an important character should be undertaken at Dacca knowing, as Your Excellency's Government know very well, that attendance of the non-official members at Dacca has always been meagre. At any rate to satisfy public opinion I would suggest that the Bill should not be referred to a Select Committee now, that it should be published for criticism and that sufficient time may be given for the public to consider the legislation. It may be referred to a Select Committee afterwards and the Bill considered at one of the Calcutta sessions of the Council. I do not suggest that the Bill should not be introduced into the Council at all. But I suggest that all this hurry should be dropped because, I feel, that this hurry might be misinterpreted. With these observations I oppose the motion."

[*The Council here adjourned for lunch.*]

[*The Council re-assembled after lunch, at 2-30 p.m.*]

The Hon'ble Rai Radha Charan Pal Bahadur said :—

"My Lord, I have only a few observations to make. I find that the motion of the Hon'ble Sir Henry Wheeler for referring this Bill to a Select Committee and also intimating that it will be passed at the Dacca session has been opposed at the outset. There may perhaps be good reasons for amending the Act; but I think the public ought to be given an opportunity to have their say in the matter. I do not think that it will matter much if the passing of the Bill is deferred for a month. It is a fact that the meeting at Dacca is not so fully attended as at Calcutta and I can safely predict that it will not really affect the passing of the Bill whether it is put through its final stage at Dacca in August or at Calcutta in the beginning of September. I think therefore that, having regard to the strong public opinion on the subject that the Bill has not been published, the Government will do well to accede to the public request that it be published and be taken up in its final stage at the meeting of Council to be held in Calcutta in September next."

The Hon'ble Sir Henry Wheeler said :—

"My Lord, I admit that this Bill has to deal with the police, and therefore it is almost bound to excite suspicion in the minds of some Hon'ble Members; but I had hoped to show by my previous remarks that we were not, in effect, introducing any sweeping changes. The Hon'ble Maulvi Fazl-ul-Haq himself is bound to admit that the changes were seemingly modest, but apparently he sees something lurking behind them, which, he fears, may be far-reaching and detrimental to the public."

*The Calcutta and Suburban Police (Amendment) Bill, 1919.**Sir Henry Wheeler.*

I have endeavoured to make it clear to the Council that what we are trying to place upon a legal basis is no change at all. It is what we have been doing for many years, and that is the answer to the argument of the Hon'ble Rai Mahendra Chandra Mitra Bahadur, which was supported by the Hon'ble Maulvi Fazl-ul-Haq, that because the word 'approbation' was in the Act of 1856, therefore, it is evident that there is now no reason to change it. I myself drew the attention of the Council to the fact that this word was in the Act of 1856, but I have tried to explain that we have never interpreted it in the sense in which we are now told that it should have been interpreted, namely, in the sense of requiring the prior sanction of Government to orders passed by the Commissioner of Police relative to the administration and organisation of the force. It is because the matter has only recently been brought to the fore, that it probably escaped the notice of the legislators, who, according to Maulvi Fazl-ul-Haq, on some 9 or 10 previous occasions amended the Act. Nobody has ever objected to the procedure, which was in force; hence no proposal was made to change it. The position is analogous to the general amendment of the Police Act in 1895 in the matter of disciplinary action over suspended police officers; the power was being exercised until the High Court said that it was illegal. Thereupon, Sir Antony Macdonald explained in the Imperial Council the reasons for taking that power, and it was accepted as reasonable that it should be definitely given by the law, if there was any doubt in the matter. So, the argument that the word 'approbation' was in the Act of 1856 has really no relevancy to the contention which I have placed before the Council, because it is only during the last few weeks that we have been told that the procedure which the Bill embodies, and which in fact we have practically been following for many years, is a procedure which is not warranted by law; and, indeed, if the provisions of this section, as so construed, were actually carried into effect, it would be impossible to administer a police force of the magnitude of the Calcutta Police. In his judgment of yesterday's date, dealing with the charge of wrongful confinement against the Deputy Commissioner to which I have previously alluded, Mr. Swinhoe remarked:—

'Under the provisions of section 9 of the Calcutta Police Act, practically all orders, however trivial they may be, framed by the Commissioner of Police relating to the Police force must first be forwarded for approbation to the local Government before they are valid and binding on the Police force. This procedure must necessarily cause delay and handicap the Commissioner of Police in his actions. It would be simpler, in my opinion, if possible, to provide that all orders passed by the Commissioner of Police under section 9 of the Act shall be valid and binding on the force until they are declared invalid by the local Government.'

I say without hesitation that if that view of Mr. Swinhoe is correct, and if Mr. Clarke, sitting at Lalbazar, has got to get the countersignature of Mr. Kerr from Writers' Buildings before he can take action against a member of the Police force, the whole machinery of the Calcutta Police can be brought to a standstill in 24 hours. So much, Sir, for the historical argument regarding the wording of the ancient Act of 1856.

I would refer further to the statement that has been made that the proposals which we have put forward so seriously affect the public that it is essential that they should be carefully scrutinised. The proposals which have been embodied in this Bill primarily and directly affect the discipline of the Police force, and not the general public. In so far as they indirectly affect the latter, it is in the interest of the general public that a stringent control should be exercised. Under the second clause of the Bill when a police officer is suspended on a heinous charge, he will not be freed from all disciplinary measures; it is right that the public should have that protection, and it will facilitate the maintenance of discipline in the force, which it is to the interest of the public to see at a high level. It is somewhat curious that, differing from the criticisms which are usually

The Calcutta and Suburban Police (Amendment) Bill, 1919.

Sir Henry Wheeler.

levelled at Government in the matter of their relations towards the police, exception should be taken when we are attempting to introduce a measure which is designed for the protection of the public against possible misconduct on the part of the police.

Another remark that has been incidentally made by the Hon'ble Maulvi Fazl-ul-Haq is that by placing a suspended police officer under disciplinary action we deprive him of the opportunity of taking legal advice and defending himself against any charges that may be brought against him. This is not so. What the man is made to do is to go and live at headquarters, just as in the *mufassal* a member of the general police force will be told to go and stay in the lines, and he is not allowed to leave headquarters without the permission of the officer-in-charge. I had a talk particularly on this point with Mr. Clarke, and he tells me that all reasonable facilities are afforded to a man for consulting his legal advisers.

Another objection which has been taken is that, should we enact these changes which are embodied in clause 2 of the Bill, it would be possible for the Commissioner of Police to pass orders affecting the organisation of the force without the knowledge of Government. With regard to this, may I point out that it is just what he has been doing for many years. Now that attention has been drawn to the point, and, if the Bill is passed into law, his orders will be subject to the control of the local Government, I have no doubt that we shall prescribe that copies of orders of a general character, or laying down a general policy, shall be submitted to Government, and they will be scrutinised, whereas, now, under the current interpretation of the section, we never see these orders at all. Far, therefore, from diminishing the supervision now exercised, the Bill will enhance it.

For these reasons, briefly, taken in addition to the arguments which I have already advanced, I do not think that the Bill need give rise to the suspicion with which some Members have sought to surround it; and in the matter of procedure, to which the Hon'ble Maulvi Fazl-ul-Haq has taken exception, I would only remark that the course we have taken is one which is justified by our rules, and, in fact, it does not differ very materially from that which he would have us adopt. After this discussion, the Bill will be published, and its provisions will be made known; if any one wishes to criticise the Bill he will be at liberty to do so, even if there is no formal circulation; the main difference between the full procedure which is ordinarily taken and that which we are now following is that the interval between the introduction of the Bill in Council and its reference to Select Committee and its final consideration in Council is shortened. But, with reference to the shortness of that interval, may I point out that for practical purposes the Bill is one of two clauses and 21 lines, affecting not the public of Bengal but the public of Calcutta, or rather, indeed, not the public of Calcutta but the administration of the Police force. The reasons for our desiring to see this Bill passed into law as early as possible are those which I have already given.

The last point which has been alluded to by the Hon'ble Rai Radha Charan Pal Bahadur and Maulvi Fazl-ul-Haq is that it is improper that we should pass this legislation at Dacca. Now, as a general theory, that is not a view which, I think, the local Government can ever endorse. It has now been the settled practice for some time to hold a Council session at Dacca; and it is a practice which has been adopted, as our predecessors understood, and as we have always understood, in deference to the feelings of many people of Eastern Bengal, among whom may be numbered the constituents of the Hon'ble Maulvi Fazl-ul-Haq. But if we have a Council session at Dacca, it must be a full session, and we cannot accept the theory that it is to be a kind of a day in the country, a sort of a picnic, or call it what you like, at

*The Calcutta and Suburban Police (Amendment) Bill, 1919.**Maulvi A. K. Fazl-ul-Haq; the President; Mr. Irwin.*

which Hon'ble Members will have the pleasure of a river trip to Dacca and seeing something different from the surroundings of the Calcutta maidan. It must be a session at which ordinary business can be done; and obviously it must rank as a full session. However, in this particular instance, having regard to the circumstances of the Bill—especially as it affects the Calcutta Police—and having regard to the fact that the interval between the meeting of the Council at Dacca and the September meeting of this Council here is only about a fortnight, I do not press the theoretical point, and if it will soothe the minds of some Hon'ble Members that we should allow a fortnight's extension and take up this Bill here at the meeting of September, as suggested by Rai Radha Charan Pal Bahadur, I have no objection to that small modification. With your permission therefore, Sir, I would substitute the words 'September' for 'August' and 'Calcutta' for 'Dacca.'"

The Hon'ble Maulvi A. K. Fazl-ul-Haq said :—

"My Lord, I would only wish to say one or two words as regards the Dacca session. I heartily endorse the remarks which Sir Henry Wheeler has made that it ought to be something of a reality and not a sort of a pleasure show. I wish, my lord, that Your Excellency could, under the rules, exercise a power which a mufassal guru exercises in pathshalas and compel members to attend. As a matter of fact there ought to be some rules that members failing to attend a certain number of sittings without sufficient cause shall show cause why they should not resign their seats in the Council. Since there is no such disciplinary power, the fact remains that members do not attend and we are at a great disadvantage when we wish to find out what the real trend of public mind is in regard to certain matters. I do not wish to take up the time of the Council by adding to what I have already said, but I adhere to my contention that the ordinary procedure should not be disregarded because it means a delay of a few weeks. I believe the Dacca meeting will take place on the 12th August and the Calcutta session will be towards the first week of September. Thus there will be a delay of only three weeks."

The President said :—

"The Hon'ble Sir Henry Wheeler has offered to meet the Hon'ble Maulvi Fazl-ul-Haq and postpone the consideration of the report of the Select Committee until the meeting of the Council to be held in Calcutta in September next."

The Hon'ble Maulvi Fazl-ul-Haq said :—

"I am sorry, my Lord, that I did not follow the Hon'ble Sir Henry Wheeler's remarks."

The Hon'ble Rai Debender Chunder Ghose Bahadur said :—

"Apropos what the Hon'ble Maulvi Fazl-ul-Haq urged about attaching a penalty for non-attendance at meetings at Dacca, I would suggest that there should be a penalty attached for inattention also." (Laughter.)

The Hon'ble Mr. Irwin said :—

"My Lord, I attended the Dacca meeting two years ago. I found the Dâk Bungalow quite full, and if it had not been for the hospitality of Mr. French, I would have to put up at the Maidan, as there was no accommodation for members. I think if a session is held at Dacca, we may

*Resolutions.**Sir Frank Carter.*

look up to Government to provide some accommodation for members. I should be glad if Government would arrange for accommodation for non-official members.

The President said :—

“I should be glad to offer the Hon'ble Member hospitality at Dacca.”

The Hon'ble Mr. Irwin said :—

“Thank you, my Lord.”

The motion was then put in the following form and agreed to :—

That the said Bill be referred to a Select Committee consisting of the Hon'ble Mr. Kerr, the Hon'ble Mr. French, the Hon'ble Mr. Graham, the Hon'ble Mr. Mansell, the Hon'ble Rai Radha Charan Pal Bahadur, the Hon'ble Dr. Abdulla-al-Mamun Suhrawardy and the mover, with instructions to submit their report in time for its consideration at the September meeting of the Council in Calcutta.

RESOLUTION.

(Under the rules for the discussion of matters of general public interest.)

LIST OF BUSINESS—ITEMS Nos. 10 AND 11.

The Hon'ble Sir Frank Carter moved the following resolution :—

This Council recommends to the Governor in Council that a commission of inquiry be appointed to consider the whole problem of leprosy in the city of Calcutta, and the legislation required in connection therewith.

He said :—

“My Lord, I intended to have brought forward this resolution in April last, but was prevented from attending the Council meeting.

I find now that the Health Officer has already submitted a note to the Corporation urging the appointment of a commission of inquiry to consider the whole problem of leprosy and the legislation required in connection therewith. This, I may say, only adds considerable force to my resolution and shows the extreme urgency of the matter.

It is quite evident to all who have had anything to do with lepers that the present Government of India Act No. III of 1898, commonly called ‘The Leper Act’, is not an efficient piece of legislation, that is to say, it does not result in the segregation of those lepers who are a menace to the community and who ought to be compulsorily segregated in leper asylums. This fact is admitted by the medical authorities as well as by those who are more directly concerned in looking after lepers.

The first thing for Government to do therefore is to take such action as may be necessary to have the Leper Act so amended, by the Government of India, that it may be effective. It must then be applied to the particular province and a real effort made to bring it into force.

*Resolutions.**Sir Frank Carter.*

The following is the essential amendment of 'The Leper Act' which it is urged should be made :—

That the definition of a 'leper' section 2, sub-section (1), be made to include not only any person suffering from any variety of leprosy in which the process of ulceration has commenced, but any person in whom any tubercular form of the disease is present.

It may be thought that my resolution is ill-timed seeing that particulars regarding the beggar nuisance in the Presidency have lately been asked for, but reading through these sheets I see very little mention of lepers; the only report which deals with lepers at all *in extenso* is that of Mr. Sen.

Although it is estimated there are some 200,000 in India, there are probably not more than 1,000 in Calcutta; and it surely is the work of Government as well as the Corporation to see that they are properly cared for.

Leprosy in this city is admittedly on the increase as, according to the Census figures of 1911, there were only 300.

There are two main causes to which this increase can be attributed :—

First, lepers come down to Calcutta because they find themselves treated as outcasts in their own villages, and Calcutta is a safer and easier place for them to live in. They can earn their living by begging far more easily here than they can do it elsewhere.

Another factor which has contributed so largely to the increase of lepers is that they are imported into this city for the purpose of trade. There are Sirdar Lepers who, finding the display of leprous sores is calculated to move the pity of charitable people, bring them to Calcutta and make a living out of what they earn by begging.

Lepers can be divided into four classes :—

- (1) There are indigenous lepers who develop the disease without any taint in their ancestors;
- (2) There are children born of leper parents;
- (3) There are lepers who come down to Calcutta because they find it an easier place in which to make a living than their own homes in the country; and
- (4) Lepers who, as I have explained, are actually brought down to Calcutta by Sirdars for the purposes of trade.

As I have said before, no leper can be detained in an asylum when his sores are healed, so that there is nothing to stop the spread of leprosy in this city, and Government have no power to confine lepers in an asylum with the result that many escape. Most of the monthly admissions to the asylums are admission of lepers who have been there before.

It is now generally admitted that leprosy is contagious in its nature and the recognition of this fact has led to the foundation of various segregation camps in all civilised nations of the world where leprosy is apparent.

The segregation of lepers is undoubtedly necessary. The only point which can raise any controversy is the degree of segregation.

Leprosy was rampant in nearly all the countries in Europe in the Middle Ages. Homes were at that time erected in all the large cities of Europe, and it is said there were some 20,000 of these homes. In England there were as many as 112 and in France 2,000. Segregation of the leper stopped the spread of the disease.

*Resolutions.**Sir Frank Carter.*

The leper problem in this city is a difficult one; but I am quite sure that it can be overcome and at not too great a cost if the Government, the Corporation and the citizens of Calcutta would all assist. It is an urgent matter and must not be set aside for two or three years as the Government of India seem to think.

Now, what is provided for the lepers in Calcutta? A Leper Asylum at Gobra, which will hold at the outside about 150. It is situated outside Calcutta in Entally, and what does it consist of? A one-storied building for Europeans and Anglo-Indians; men on the ground floor and women on the first floor; a staircase in the middle goes up from one of the rooms. Communication between the ground floor and the first floor is easy and the room from which the staircase leads was used as a chapel by the Protestant and Roman Churches. This has been altered during the last two months. For this reason, there were constant disputes arising between the two Churches. The Roman Catholic Priest put up a picture of the Virgin and this offended the English Priest. The chapels should be entirely separate and there should be one for the Roman Catholics and one for the Protestants and not adjoining as at present, and the staircase should be outside. This would give two extra rooms. There is no accommodation for married couples and this is one of the chief reasons why the place is so unpopular.

There is no comfort in the building. The sun pours in in the hot weather, there were no chicks to keep it out. These have lately been provided. The beds are dirty, the sheets covered with stains, the mattresses stuffed with straw are little better, and the rooms are filthy. When I was there the other day the Eurasian female inmates bitterly complained of the mattresses, which were so old and uncomfortable, they could not get a decent rest on them; I examined them and one of the ladies said: 'These are not so bad, you should see mine, that takes the cake.' The attendance on the patients is most inadequate.

The quarters for the Indians are divided into several long and one-storied buildings, separate buildings for the Hindus and Muhammadans. There is a sort of enclosed yard with stalls attached like a place where cows are kept and here the lunatic lepers are housed. There is also a small building for the worst cases who are not expected to live long. This building is a disgrace to Calcutta.

When I was there the other day there were ten men in the very worst stages of leprosy in two small rooms. The beds all crowded together; there is no lavatory accommodation at all; no drainage, nothing.

There is no occupation provided for the lepers; they pass their days brooding over their misfortunes and their hopeless future, and yet they are not, by any means, a discontented lot. They are a wonderfully happy set considering all things.

There should be a Superintendent who would take some interest in the patient and attends to their wants; also a regular qualified doctor. I would suggest a European Superintendent who must be well paid; but he must be interested in the leper problem and above all he must be sympathetic. The only warder that I have seen is an Anglo-Indian who gets the princely sum of Rs. 5 per month.

So much for the asylum which will hold 150, but there are the rest of the lepers who live in the worst slums of the city—Radabazar, Machuabazar and Howrah. They are merely outcasts whom everyone loathes to touch; shunned by every person, they deteriorate step by step. They live on what little they earn, they huddle themselves together in small insanitary rooms and eke out their existence without any ray of hope. Their disease is visited on their unfortunate children who, with timely segregation, might lead useful lives both to themselves and the community.

*Resolutions.**Sir Frank Carter.*

Lately, as there was accommodation in the asylum for more patients, two inspectors, or whatever they like to call themselves, were appointed to seek out the worst cases in the city and take them to the asylum. This frightened the lepers so much that they dispersed to all quarters of the city.

What steps are to be taken to improve the condition of these people and to stamp out leprosy from the city?

In the first place, a large plot of land, say about 500 acres, should be acquired away from Calcutta, preferably in the Hills or, at any rate, where the heat is not so great as it is in Calcutta as the heat assists the disease. Land too, such as I indicate, would not be anything like as expensive as it is in and around Calcutta. Liberty of movement should be allowed to the lepers in this area and they should be well-housed, fed and properly cared for. Future marriages and intercourse between the sexes should be discouraged and, if possible, prevented and the children should be segregated from their parents. The lepers should be made happy and comfortable in every way so that there would be no reason for them to wish to leave the proscribed area; the whole place should be self-contained; shops and bazars started which could be managed by the lepers themselves. Leper labour should also be utilised in the growing of crops, the upkeep of cows and poultry, the weaving of cloth, etc., and every step should be taken to make them forget as far as possible that they are outcasted. But above all there must be proper superintendence and efficient medical supervision.

If this scheme was carried out then the present Leper Asylum could become an observation camp and a place where lepers could be collected before being sent to the leper settlement and medically treated.

This, even if Government do sanction the outlay, will take time, and meanwhile what is to be done to minimise the existing evil in Calcutta?

A strict census should be taken of all lepers in Calcutta whether pauper or not and their addresses should be registered. Tact must be used in doing this as lepers easily get frightened, and if they think they are going to be harassed they will, very likely, disperse into different parts of the city. Besides it should be the object of every one to treat those who are afflicted with this terrible disease with the utmost leniency and to show them every consideration for their feelings.

Lepers should be forced under penalty to live within certain specified areas in the city and strict guard should be kept to prevent their escape and mixing with the general public.

There should also be a Committee formed of, say, five members, one of whom should be a qualified medical man who would decide whether a man, woman or child was inflicted with leprosy, in which case a certificate should be granted which would force the leper to live within the specified area. This Committee should also listen to any complaints which may be made. A leper also should have the right of appeal to a Central Board against his detention.

As regards the influx of lepers into Calcutta steps must be taken to prevent this. The giving of alms should be discouraged but money should be provided by Government and the Corporation for their comforts. Precautions should also be taken to prevent lepers travelling by rail and steamer or cart without a special pass. Any leper arriving in Calcutta must be made to notify his arrival to the Committee who will arrange quarters for him. At the same time the Sirdars whose profession it is to import lepers should be dealt with by the law.

These, briefly, are the measures I would suggest to be adopted, and it is because the leper problem in Calcutta is such an urgent one that I ask Government to form a Committee of Inquiry."

*Resolutions.**Rai M. C. Mitra Bahadur.*

The Hon'ble Rai Mahendra Chandra Mitra Bahadur moved, by way of amendment, that in the Hon'ble Sir Frank Carter's resolution, after the words "city of Calcutta" the words "and other municipal towns in the *mufassal*" be inserted.

He said :—

"My object in making this amendment is to make the scope of the commission of inquiry comprehensive and not to limit it to Calcutta only but to extend it to the municipal towns in the *mufassal*. First, I shall deal with the necessity of an inquiry on the subject; secondly, to legislate further, if necessary, on the recommendations of the inquiry to be made. I am informed that the number of lepers is increasing. It is difficult without a proper inquiry to supply the accurate figures. Proper care should be taken as regards the treatment and comfort of the lepers, who are obliged to wander in the streets in the *mufassal*, where there are a very few asylums. It is necessary in the interest of the public health that asylums for pauper lepers should be established under the supervision of Government and not to be left to private charity alone.

In the tropical climate, the number of lepers is very large. Even in Europe, leprosy prevails in Iceland, Norway and Sweden, parts of Russia, particularly about Dorpat, Riga and the Caucasus, and in certain provinces of Spain and Portugal. In British India, according to the Report of the Leprosy Commission in 1890-91, there are 100,000 lepers. This is surely a low estimate. In Great Britain the cases are all imported. Leprosy is chronic and infectious. It is caused by *Bacillus leproe* characterized by the presence of tubercular nodules in the skin and mucous membranes or by changes in the nerves. It will be interesting to narrate how the contagion spreads. Dr. Osler in his treatise on "*The Principles and Practice of Medicine*" in page 340 says :—'One of the most striking examples of the contagiousness of leprosy is the following: "In 1860, a girl who had hitherto lived at Holstershop, where no leprosy existed, married and went to live at Tarwest with her mother-in-law, who was a leper. She remained healthy, but her three children became leprous, as also her younger sister, who came on a visit to Tarwest and slept with the children. The younger sister developed leprosy after returning to Holstershop. At the latter place a man fifty-two years old, who married one of the 'younger' children, acquired leprosy; also a relative, thirty-six years old, a tailor by occupation, who frequented the house, and his wife, who came from a place where no leprosy existed. The two men last-mentioned are at present (1897) inmates of the leper asylum at Dorpat." There is certain evidence to show that the disease may spread through infected clothing, and the high percentage of washermen among lepers is also suggestive.' It is hardly necessary to discuss as to the medical aspect of the question.

Bengal Act V of 1895 was passed by the Bengal Legislative Council in the year of 1895. This Act provided for the segregation of pauper lepers and the control of lepers exercising certain trades. In 1898 the Supreme Legislative Council provided a similar Act. This Act provided for the segregation and medical treatment of pauper lepers and the control of lepers following certain callings. By Municipal notification No. 228 T.M. of 18th May 1901 under section 19 of the Act, the Act was declared to be in force in Bengal and Bengal Act V of 1895 ceased to have effect. By notification No. 253 Medical of 1895, all first class Magistrates have powers to send a leper to any asylum which has been declared under section 3 of the Act. Section 3 of Act III of 1898 provides that the Local Government by notification in the official gazette may appoint any place to be leper asylum for the purpose of this Act and specify the local areas from which lepers may be sent to such asylum and may in like manner alter or cancel any such notification.

*Resolutions.**Sir Henry Wheeler.*

Although Act III of 1898 is in operation in Bengal, yet there are no regular leper asylums in all places. In the Burdwan Division there are asylums in the district of Bankura and in Raniganj. These asylums have been set up by the mission to India and to East. The average monthly attendance at Raniganj is 120. At Bankura the number is 154. Government formerly paid Re. 1-8 as capitation grant, but nowadays have increased it to Rs. 4 per head. My information regarding Midnapore, Howrah and Birbhum is not encouraging, although the number of lepers is not insignificant. At Bankura the asylum is known as Wesleyan Mission Leper Asylum. By a notification No. 361-Municipal, dated 25th February 1915, the local area is confined to Bankura district under the provisions of section 3 of Act 3 of 1898. If I properly understand the sections of the Act, the operation of the Act depends upon the establishment of a requisite number of leper asylums for the proper accommodation and treatment of the lepers. My submission therefore is that Government should seriously consider as to the necessity of establishing such asylums in the mufassal for the segregation of pauper lepers.

The decline of leprosy in Europe is attributed mainly to improved hygienic habits and surroundings, and to increased material prosperity, and it may be hoped that the same causes will gradually bring about its disappearance from India.

My Lord, I am deeply interested in the problem for the relief of the lepers and in the interest of public health.

It is suggested that a commission of inquiry should be made. The pauper lepers must not be allowed to move freely from door to door for charity. Exposed under the sun and the rain, they become the objects of pity. Fixed places of their residence should be selected after proper inquiry. Various other suggestions may be made for the further amendment of the law empowering the public to compulsorily remove all lepers and segregate them in the mufassal leper asylums."

The Hon'ble Sir Henry Wheeler said :—

"My Lord, as the Hon'ble Sir Frank Carter said, this is a resolution that has stood over from last cold weather, and we all rejoice that the Hon'ble Mover is well once again after his serious illness, and still more, at the recognition, in the interval, of his many admirable works in the cause of the public of Bengal.

The resolution deals with a subject which necessarily excites the sympathy, and incidentally also the horror and repugnance of us all. Such is the terrible character of the disease of leprosy that we would all willingly do anything to alleviate the sufferings of those who are afflicted with it, and still more we would do anything in our power to save from contamination those—happily the vast majority—who are now unaffected by it. However that may be, my difficulty in accepting the course which the resolution proposes rests briefly on the fact that in this matter we, along with the rest of India, are only following a policy which has been very authoritatively laid down in the past. There may be grounds for saying that that policy requires reconsideration, and to this I shall refer again later, but, as matters stand, it is a policy laid down with as much authority as could have been hoped for, either at that time or any other, and until that policy is modified under equal authority it is very difficult for us to do anything of a sweeping character materially different from what we are at present doing. In order to substantiate that contention I shall refer as briefly as possible to the existing position.

*Resolutions.**Sir Henry Wheeler.*

We are governed, as has been mentioned, in this matter by an India Act (III of 1898), and when that Act was passed the Hon'ble Mr. Rivaz who was in charge of it said specifically—"The Bill which is before the Council does not contemplate any action being taken for the control or segregation of lepers generally in this country. It would be extremely difficult to give practical effect to any measures of such wide application nor, in the opinion of the Government of India, are they called for. The present Bill is of a far more moderate scope and restricted character."

Therefore the Bill was designedly drawn upon modest lines, and its two main provisions are those which are meant to prevent lepers engaging in trades or occupations which bring them undesirably into contact with the public, and secondly, to prevent the wanderings of pauper lepers by giving authority for their arrest and for their consignment to asylums under the orders of Magistrates. These are the two main characteristics of the Act, and the Act itself rests, as I have said, on authoritative enquiries which will be found amply described in a Government resolution of the 23rd March, 1895, which I shall be happy to lend to the Hon'ble Member to read. Briefly what happened was that this subject began to attract marked attention so far back as 1888, when it was held that absolute segregation was an impossibility and all that was practicable was to encourage asylums to which lepers voluntarily could go. Later on the idea was mooted of founding colonies to which lepers should go voluntarily, and a Bill was actually drafted in 1889. When it was circulated considerable difference of opinion was disclosed. About that time the whole subject of leprosy was very much before the public owing to the labours of Father Damien, and a large fund was started in London under the auspices of the Prince of Wales for the investigation of leprosy. That led to the Leprosy Commission of 1890-91. On that Commission there were three leading English Doctors and two members of the Indian Medical Service. They made enquiries in India, among other places, and they made pronouncements as to the contagious character of leprosy which are not quite in accordance with the view expressed by Sir Frank Carter today. I will not discuss in detail the medical side of the question, but briefly, they did not think that leprosy was of a contagious character, and basing their conclusions on that finding, they distinctly held that the nature of the disease did not justify compulsory segregation. They advocated the adoption of voluntary isolation, together with the subsidiary measures relating to occupations and pauper lepers which were embodied in the Bill. That was their finding: but there was another curious development which adds to the authority attaching to it. The views of the Commission were referred again to two influential committees in England, partly composed of professional men and partly of public men, and I may mention a few names in order to show to the Council the character of the opinion on which action was taken. We find the names of medical men like Sir Dyce Duckworth, Dr. Hutchinson, Sir Andrew Clark, Sir James Paget, and Sir Joseph Fayrer, and of prominent men like Lord Curzon, the Bishop of London and Baron Rothschild. On the administrative side certain of the lay members of these committees dissented to some extent from the recommendations of the Commission, desiring a more active policy in the matter of segregation and founding colonies, but the majority of the medical members stuck to the opinion of their professional confrères, and after reviewing the facts, the Government of India stated in their resolution that they could only be guided by the professional advice which was tendered to them. Therefore, Sir, as I have said, we are governed by very authoritative recommendations, and until we can put up something more weighty than a provincial committee it is very difficult for us to modify the existing policy. In fact, that has been tried and has been negatived. In 1908 there was a conference

*Resolutions.**Sir Henry Wheeler.*

of Superintendents of leper asylums in Calcutta and they recommended the amendment of the legal definition of a leper in respect of the ulceration of sores to which Sir Franck Carter has referred. This was supported by the local Government and submitted to the Government of India, but the Government of India said that they were not prepared to go back on the findings of the Leprosy Commission of 1890-91.

That is the position in which we find ourselves, and within it we do what we can. The leper population of Bengal—it is important to remember—is only some 17,000, while the total population of the province is 45 millions. Fortunately, therefore, the proportion is small, and I do not think the evidence points to its growing rapidly, at any rate not in Bengal, although from the last census figures it might be argued that it is not on the decline in India as a whole. To deal with these 17,000 men we have an asylum in Calcutta at Gobra, while there are two other asylums—one at Bankura and the other at Raniganj. In the three of them we treat some 800 patients on an average, in addition to those who find relief at the ordinary hospitals. The action taken by us is very similar to, and somewhat in advance in some ways of, that taken in other provinces. For instance, the Lepers Act is not in force in Madras, the Punjab or the North-West Frontier Province, and it is only in force in limited areas in Bombay, the United Provinces and the Central Provinces. But where asylums are established in these provinces and action is taken, it is somewhat on similar lines to ours, *i.e.*, by assisting private effort. In response to an enquiry that we made after we got notice of this resolution as to whether it was thought that there was need for a radical departure from the existing policy, all these provinces, with the exception of Burma, have replied in the negative. That renders it more difficult for us to take action. But I am quite aware that there is professional opinion in certain quarters—amongst the exponents of which is Sir Leonard Rogers, to whose views much weight is to be attached—which does not accept the findings of the Leprosy Commission from a medical point of view as final. To that extent there may be a case for further enquiry, but I do not think it is any use advocating an enquiry of a purely provincial character. Obviously at the present moment, in particular, it is extremely difficult to find available medical men, and without any disrespect to provincial authorities, an enquiry, limited to Bengal, and made by gentlemen who might help us here, could not in itself carry weight sufficient to induce the Government of India to go against the authorities of 1890-91. If there is any revision of the policy of the Leprosy Act, it must be based on an all-India enquiry, probably supported by the best opinion available at home and by whatever can be ascertained of the advances and experiences of other countries.

Sir Frank Carter has mentioned certain matters in which he particularly would like to see action taken, namely, the alteration of the legal definition of a leper, which as I have said was advocated in 1908; the establishment of leper colonies; the segregation of lepers in defined areas, preventing the influx of lepers to Calcutta; notifying their arrivals when they come, and such like. All these things require an amendment of the law, and the amendment of the law some of these directions is not likely to be entirely non-controversial. If we once raise issues like the compulsory restraining of a man merely because he is afflicted with a terrible disease, and, it may be, the taking him away from his wife or children, we are apt to excite a considerable amount of difference of opinion, which renders it all the more important that, if anything is to be done, it should be backed by authoritative opinion. On these grounds I would deprecate the appointment of a provincial committee either for Calcutta, or as the Hon'ble Rai Mahendra Chandra Mitra would have it, for the whole of Bengal. But we are perfectly willing to bring this discussion to the notice of the Government of India with a view to their ascertaining more fully the views of other provinces and considering in the light of the information which is at

Resolutions.

Sir Henry Wheeler ; Sir Deba Prasad Sarbadhikari ; Sir Frank Carter.

their disposal, whether the time has not yet come to re-examine this important subject. It is possible that they may do so at a convenient opportunity, but for the moment the time is most inopportune. Recent events, apart from this discussion, have drawn attention to this question of leprosy, and it is quite possible that the Government of India may decide that further investigation is justifiable. Obviously medical opinion and knowledge have advanced greatly since 1891, but I think we must leave it to the Government of India, although we are prepared to bring the question to their notice on these lines."

The Hon'ble Sir Deba Prasad Sarbadhikari said :—

"My Lord, I quite appreciate the difficulties which are in the way of the acceptance of this motion, and I am sure they will be appreciated by the Hon'ble Sir Frank Carter. In the meantime we expect that the Hon'ble Sir Henry Wheeler will do something to mitigate the evils and abuses of the existing system and that will go to a certain extent to prevent the dissemination of the disease, and to ameliorate the conditions of those who come within the purview of the law so far.

There is another matter in regard to which it may not be difficult to take action and that is preventing lepers to have anything to do with the vending of articles of food. This matter may immediately be attended to including those mentioned by Sir Frank Carter. And some assistance may be given to testing and having indigeneous methods of treatment adopted."

The Hon'ble Sir Henry Wheeler said :—

"My Lord, I would like to mention one matter, as I forgot to do so. With regard to the Hon'ble Sir Frank Carter's references to the asylum at Gobra, I am perfectly willing to have further inquiry made. I paid a visit to the asylum with Sir Frank Carter at the end of last cold weather, and he drew my attention to some of the points to which he has referred today. My recollection is that we did sanction a grant in order to remedy some of the defects, and also that I took up the matter of the moribund ward in particular. However, I will look into the matter again, and see whether anything more can be done."

The Hon'ble Sir Frank Carter said :—

"My Lord, I beg to express my thanks to the Hon'ble Sir Henry Wheeler for the assurance he has given to improve the condition of the Leper Asylum at Gobra. In view of the Hon'ble Sir Henry Wheeler's sympathetic reply, I ask for Your Excellency's permission to withdraw this resolution."

The motion was then, by leave of the President, withdrawn.

LIST OF BUSINESS—ITEM No. 12.

The Hon'ble Rai Radha Charan Pal Bahadur moved the following resolution :—

This Council recommends to the Governor in Council that the Government do take into consideration the amendment of the Calcutta Improvement Act, 1911, at an early date, with a view to provide, as recommended by the Calcutta Improvement Trust, for the payment of the 15 per cent. statutory allowance in all cases of acquisition of land required for the improvement schemes of the Trust.

He said :—

"My Lord, some of the members of Your Excellency's Council are familiar with the subject and I find in this Council some members of Government who enacted this measure. Amongst them I find the Hon'ble Sir Henry

*Resolutions.**Rai R. C. Pal Bahadur.*

Wheeler who was then a Secretary to the Government. This subject was very keenly discussed at the time when the Calcutta Improvement Bill was under consideration. The proposal to abolish the payment of 15 per cent. statutory allowance in cases of compulsory acquisition of land by the Trust was received with consternation and dismay throughout the city. It evoked the keenest opposition not only inside the Council but also outside it. What was then done is that the clause relating to the payment of a statutory allowance of 15 per cent. was not made applicable in connection with the acquisition by the Improvement Trust within Calcutta. Fifteen per cent. compensation would be payable if the Improvement Trust acquired land, however notoriously unhealthy that area may be, outside the jurisdiction of the Calcutta Corporation, that is, in the Manicktollah or Cossipore-Chitpore Municipalities, but in all improvement schemes carried out by the Trust in the city that 15 per cent. which the people had been enjoying for the last 50 years was withdrawn. This evoked the greatest possible opposition in this Council when the measure came up. On reading the reports of the proceedings I find that the Select Committee was equally divided:—of the 10 members in the Select Committee 5, including the Hon'ble Mr. Shorrocks of the Bengal Chamber of Commerce, were for the retention of the 15 per cent. allowance and 5 for the omission of that provision but, I believe, that by the casting vote of the President of the Select Committee the motion for the retention of the allowance was lost. Now, my Lord, I think it may be known to Your Excellency's Government that there is widespread discontent in the city on account of the omission of this clause. The Improvement Trust has been in operation for the last seven years, and during the last two years especially its activities have extended towards the northern part of the town and affect a large number of poor middle class people—tenants, occupiers and owners of holdings who are generally poor and live from hand to mouth, and the growing discontent in the city has awakened the sympathy of even the quondam member in charge of the Bill, Mr. Bompas. Mr. Bompas, the Hon'ble Mr. Payne, who voted before for the abolition of this 15 per cent. and other members of the Trust made a recommendation to the Government for the restoration of the 15 per cent. allowance in all cases of acquisition by the Trust. I have got here the report of the Improvement Trust which I have no doubt has reached Your Excellency's Government and I do not think it is necessary to read it at length. I may say this that the Trust have, in their report, very strongly recommended that this 15 per cent. statutory allowance should be granted in all cases of acquisition by the Trust, and this report is signed by Mr. Bompas, Mr. Payne, Raja Hrishikesh Laha and other members of the Trust. I may also mention that this question of 15 per cent. statutory allowance was considered by the Commission which was appointed by Government in 1887 and was presided over by Sir Charles Trevelyan to inquire into the sanitary and structural defects of Calcutta, and to suggest what steps should be taken for the improvement of the city. I find that the Commissioners said that they were strongly of opinion that the statutory allowance of 15 per cent. should not be withheld, that is to say, it should be continued in cases of acquisition for the improvement of the city. Then, my Lord, as regards the acquisition by other sister bodies in Calcutta (I mean the Calcutta Corporation, the Calcutta Port Trust, or Government) 15 per cent. statutory allowance is granted; it is not withheld as the ordinary Land Acquisition Act applies to such cases. Russa Road and other roads in the Bhowanipore area are being widened by the Trust. Lansdowne Road runs almost parallel to Russa Road and is being extended by the Corporation who are also carrying out other road improvements. The statutory allowance of 15 per cent. is allowed by the Corporation while the Trust grants nothing for lands acquired almost side by side under their scheme, and the schemes of the Trust and the Corporation are only half a mile or quarter of a mile from each other. Similarly there is the Russa Road and there are some branch roads such as Iswar Ganguly Lane

*Resolutions.**Rai H. C. Pal Bahadur.*

which are being widened by the Trust, without the payment of statutory allowance, but side by side is the Kalighat Improvement Scheme carried out by the Corporation where 15 per cent. is being allowed. This, as I have said, is an anomalous position and involves great injustice to the people of Calcutta.

There may be an impression that it would be putting money into the pockets of landlords. My Lord, it is our misfortune to be called landlords. If your Excellency will inquire into the character of the holdings which come within the operations of the Trust, I can with the utmost sense of responsibility and emphasis, assure your Excellency that you will be convinced that nearly 90 per cent. of the property owners are poor middle class people who have got their ancient holdings or residential houses. To an ordinary Englishman the idea is that the landlord is a rich man rolling in wealth, a millionaire who has made money during recent years, or some big zamindar. but here, my Lord, as I have said 90 per cent. of the people who come within the operations of the Improvement Trust are poor people, small traders, many of them clerks in mercantile or Government offices or poor *bhadrolaks*. My friend Sir Rajendra Nath Mukherjee will, I am sure, corroborate my statement. These are the generality of people who come under the operations of the Trust, but those who own houses in the big commercial area do not care a farthing for the Improvement Trust because they are in an area where the Trust has no terror for them. I think, my Lord, having regard to the widespread discontent that is prevailing in the city this 15 per cent. statutory allowance should not be withheld. Suppose there is a dwelling-house valued at Rs. 10,000; if that house is acquired by the Trust, the owner of the house if he is fortunate to secure a suitable house—which is rarely the case—will have to pay 3 per cent. as stamp duty and Rs. 300 as lawyer's charges; the cost for search, conveyance of title, etc., will bring the total to Rs. 600. Then he will have to seek temporary accommodation elsewhere, and for this he will have to pay no less than 50 or 60 rupees per month. It will be at least six months before he can expect to get another house, and in many cases it takes more than a year to do so; many people do not get houses at all for a very long time. The amount of rent annually will amount to Rs. $60 \times 12 =$ Rs. 720 and this in addition to other incidental expenses amount to a total of Rs. 1,320. But what after all will this 15 per cent. of Rs. 10,000 amount to—it would be only Rs. 1,500; if the cost of removal and repair and refitting of the house is taken into consideration practically more than this amount goes in meeting these different expenses, and moreover it is a compulsory acquisition. If I want to sell my house to a private person I will sit tight; people will come and negotiate; I will say unless you pay me the amount I ask, I will not part with my house, and even if you agree to pay what I want, I must get another house before I can sell it. That is not the case when the Trust acquires my house. A notice comes from the Collector that here is the valuation, take it, and quit the house, otherwise you will be chucked out by force. That is the position of the Indian residents in Calcutta who are British subjects, and I appeal to your Excellency to inquire into these details and give relief to the poor British Indian subjects who are placed under your care. Now that the Improvement Trust has recommended, and their recommendation is backed by the Chairman, I hope that this 15 per cent. allowance will not be withheld. I pray that legislation at an early date be introduced. I know that there are other matters in connection with the Improvement Trust in regard to which legislation will be taken up. My Lord, the Government wheels move very slowly, but if Government so minds it, they can modify this particular section and can give relief to thousands of people under your Excellency's care in the twinkling of an eye. Here we have no quarrel, we are not scrambling for power that will have to be referred to Parliament and where there will be great deliberation. This matter has been thoroughly discussed and considered by responsible officers and by the

*Resolutions.**Rai R. C. Pal Bahadur ; Rai D. C. Ghose Bahadur.*

members of the Trust. Therefore, Sir, when such a recommendation has been made by such a responsible body, and having regard to the deep discontent which is prevailing in the city, I hope your Excellency will be pleased to do this act of grace, mercy and justice to the people of Calcutta. I do not know what reply I shall receive from the opposite side, but I await it with great trepidation."

The Hon'ble Rai Debender Chunder Ghose Bahadur said :—

"My Lord, I do not propose to take up much of the time of this Council because the salient points as to the necessity for amending the Improvement Trust Act in the matter of the percentage on the market value which is a feature the General Acquisition Act of India, have been put forward by my friend Rai Radha Charan Pal Bahadur. But I wish to add my voice in support of his contention, because it is just possible that the Council might think that as I have some personal experience in these matters and being older in age than Rai Radha Charan Pal Bahadur, I should know something of the conditions which operate on the unfortunate owner of a property whose land is compulsorily acquired by the Act. It is said that all that the man whose property is taken is entitled to is the market value of the property and he ought not to complain if he gets a fair price for the property. Now, Sir, those who say this are persons who live a detached life, and living a detached life has its value and advantages. They are generally the members of the Indian Civil Service, and it is no derogation to say of that service that they do not hold any immovable property in the city of Calcutta. Sir John Peter Grant, a former Lieutenant-Governor, as inheritor of his father's estate, held some property in Calcutta, but as a rule the members of the Civil Service do not possess such property here, that being so, they are not in a position to feel what the men whose property is taken away compulsorily do, when he is offered the market value of the property and is told that he ought to be satisfied with that. My Lord, land is being compulsorily acquired in India for a long time, I do not know what the conditions were under the Bengal Regulation of 1824, or the India Act VI of 1857. I have not worked under this Act, but I claim some acquaintance with the operation of the Act as it was passed in 1870 (Act X of 1870) in the Viceroy's Council in which an active part was taken by the then Home Member, Sir John Strachey, and Sir James Stephen, Law Member. It was considered by the Government that under the Act of 1857 the compensation given to the owners was much in excess of the price of these properties, and, therefore, they wanted to lay down certain principles which have been referred to by my friend Rai Radha Charan Pal Bahadur and laid down under sections 22 and 23 of the Land Acquisition Act. The Indian legislature of 1870 lay down that the owner will get the market value and they define market value in a particular way. They say that in consideration of the great agitation which has been raised at that time against the proposed repeal of that Act of 1857 and that as the agitation is due to a feeling that no justice would be done to the parties from whom the properties will be compulsorily acquired, we will not only pay the market value, but we will follow the example of the English courts. We will adopt the English practice of giving a solatium over and above the price of the property and that solatium in England has always been from a very long time 10 per cent. of the price of the property; that was to console the man whose land was acquired against his will. My Lord, you will see that this provision for paying a 15 per cent. allowance over the market value was not in response to an appeal by those who had agitated against the passing of the Act of 1857. In order to satisfy that there would be no danger in the operation of the proposed Act and that justice would be done, justice which not only concerns in paying the

*Resolutions.**Mr. Goode.*

owner the proper price but in soothing his feeling by paying for his inconvenience and trouble caused by the compulsion and this solatium was fixed at 15 per cent. of the market value. Sir John Strachey than whom few men who have come out to this country took a sounder view of the state of things economical or political, and Sir James FitzStephen, who had a European reputation as a jurist before he came out to this country and who after retirement from India became a Judge of one of the Divisions of the High Court in England, considered that the extra payment of 15 per cent. on the market value was a just and proper thing. It was also politically expedient. But it remained for the Bengal Government, of 1911 to accede to the suggestion that it would save much money in working out the Improvement Act if you paid people less than what they were entitled to. It comes to that because as my friend to my left (Rai Radha Charan Pal Bahadur) has pointed out it is not sufficient compensation to pay a man whose property may be valued at Rs. 10,000 is paid Rs. 10,000, and asked to walk out of the house. He has to find a suitable property to invest this sum of Rs. 10,000 and if he was living on the property which was taken away from him he would find it difficult for him to adjust himself to the new environment and any amount which you pay him as the market value will not satisfy him; he will remain discontented. I think, Sir, we ought not to legislate in a way which is politically inexpedient and gives rise to discontent. It is unwise to go on in this way. We have a consensus of opinion. Barring the Civil Service whose views are put forward by Government, all merchants, Indian and European, members of the Calcutta Corporation, lawyers and also some propertied men have protested against this taking away of the solatium of 15 per cent. and I think it is not mere conscience which compels them to make this protest. It is most suicidal to go on in this fashion and to create discontent. After all if you have to go by precedent you have here up to the year 1911 been paying this 15 per cent. on the market value of every property whether in the city or outside, and whether for an improvement or for any other public purpose. People think that Government ought to give this 15 per cent. if their property is taken away compulsorily. As regards the valuation business, I do not know the state of things for the last four or five years but I will refer to things which occurred about the year 1915. The Chairman thought that no Calcutta man should be appointed, and they imported a person from London to value Calcutta properties. He had as much knowledge of the value of Calcutta property as the man in the moon and the members of the Improvement Trust were not permitted to meddle with the work of the valuation and a brick-maker in a well-known firm in Calcutta, was put in to assist the valuer. That is the way in which the people have been treated in Calcutta, and one thing is clear that the Valuation Department only knew that where a man was entitled to Rs. 30,000, they would give him Rs. 15,000 and if the man has courage to go up to the Improvement Tribunal....."

[At this stage the Hon'ble Member had to conclude his remarks, he having reached the time-limit.]

The Hon'ble Mr. Goode said :

"My Lord, I am glad to be in a position to meet the Hon'ble Rai Radha Charan Pal Bahadur rather more than half way in the resolution which he has laid before the Council. The Rai Bahadur in the latter part of his speech laid stress on the urgent importance of Government undertaking legislation at a very early date for the amendment of the Improvement Trust Act, and I am glad to assure him that steps will be taken very speedily in this direction. He has informed the Council that a report was presented some time ago to the Government of Bengal by the Board of Trustees in which they recommended that certain amendments of the Act should be made.

*Resolutions.**Mr. Goode.*

The matter was considered by the local Government and an officer was put on special duty to draft a rough Bill on the lines of the amendments which were forwarded to Government by the Improvement Trust. The other legislation which the Municipal Department had in hand during the last two years has prevented any Bill being laid before this house, but I can assure the Hon'ble Rai Bahadur that Government intend at a very early date to bring the rough draft Bill which has been prepared into a better shape so that it might be laid before the Council. In view of the fact that Government are prepared very soon to undertake legislation, I hope that the Hon'ble Rai Bahadur may be induced to think that it is somewhat inadvisable to urge this house to come to a decision on the insufficient grounds which this discussion has afforded upon matters of principle which must shortly be considered both by the public and by the Corporation of Calcutta and by the Board of Trustees. I hope that on the assurance which I am now authorised to give him that Government will undertake legislation at an early date that he will be induced to think that the immediate decision of principle at this stage is somewhat unnecessary. I am able to go even further. I am authorised to state that the Government of Bengal propose to meet the Hon'ble Rai Bahadur more than half way even upon the matter of principle and in the Bill which will later on be introduced in this Council, the local Government subject to a reservation to which I shall refer shortly, propose that this 15 per cent. additional compensation should be awarded in the case of all street schemes, although not in general improvement schemes. The Hon'ble Rai Bahadur is well aware what a considerable concession this involves. I do not know whether he will on the assurance that I have given be prepared to allow this resolution to be dropped, and I am therefore compelled though very briefly to deal with the actual principle which he has raised and to explain why Government are not prepared to undertake legislation with a view to giving 15 per cent. compensation in every case of acquisition which the Trust may make. In the course of this discussion some reference has been made to the precedent afforded by the Indian Land Acquisition Act, and also to the precedent which exists at home. I do not want to revive the old controversy which is fresh in the memories of many members of this Council, but I cannot refrain from reminding the Council that as was stated by Mr. Bompas in a previous debate the precedent on which the Calcutta Improvement Trust Act was based is a truer precedent than the one which Hon'ble Rai Bahadur has cited—I mean the Bombay Improvement Trust Act. There you had a recent case of legislation dealing precisely with the same problem which Calcutta presented and as Mr. Bompas in 1911 pointed out the legislature was justified in regarding that as a real precedent and not the Indian Land Acquisition Act which was quoted by the opposition at that time. Nor do I admit a precedent which the Hon'ble Rai Debender Chunder Ghose Bahadur has drawn from English practice. I am well aware that it has been the practice in the English courts since the enactment of the Land Acquisition Act of 1845 to allow what came to be termed a solatium which, as the Hon'ble Rai Bahadur has pointed out, has crystallised into a 10 per cent. additional allowance. But there has been more recent legislation than 1885, namely, the Housing of the Working Classes Act of 1890 and the Town Planning Act of 1899. Both these Acts and several other Acts which I can cite recognise that in the case of certain public improvements it was unjust that the community should be saddled with this occasional burden although it might rightly be allowed in the case of certain other schemes. In the case of improving or sweeping away insanitary property it was expressly forbidden that the courts should award this solatium. But the English precedent did not stop there. I would bring to the notice of the Hon'ble Members a more recent decision which an English body of some authority has given us on this point. In 1917 an unofficial committee was appointed by the Home Government to consider the whole question of law and

*Resolutions.**Mr. Goode.*

practice relating to the acquisition of land for public purposes. It was recognised by the Home Government that after-war problems must involve a certain work of reconstruction and that the elaborate methods of acquisition and the excessive prices which, in many cases, local authorities are compelled to pay must be revised and corrected, and this Committee in 1918—the Rai Bahadur will kindly note that my authority is a very recent one—came to the decision that any additional solatium to compensate for the compulsory nature of public acquisition was an unnecessary burden upon the community. I will quote the words of the committee. After having examined not merely expert witnesses but also representatives of the various local authorities in England and Scotland they said :—

“Nearly all the witnesses who have given evidence before us are in favour of abolishing the customary allowance for compulsory purchase, and we think that there is a growing consensus of opinion that it is an unwarranted addition to the cost of public undertakings..... We think, therefore, that no allowance for the compulsory acquisition of land should be added to the market value.”

Now, my Lord, as I have suggested already it is unnecessary for me to attempt to defend the entire principle enunciated in the report from which I have just quoted because the Local Government have already decided to make a considerable step towards meeting the position taken up by the Hon'ble Rai Bahadur. But it was necessary in explaining the reason for our not accepting the resolution in full to refer to this pronouncement which I submit must carry great weight. It may be that I shall be met by the 'fur-coat' argument that English analogies have no reference to Indian conditions, but I submit that so recent a pronouncement given by a body comprising so many leading home experts must carry great weight even in India and as applied to Indian conditions. As it happens the present law and practice in Calcutta are actually in advance of the opinion which has prevailed in England during the last 50 years, and it does seem a somewhat retrograde step to ask this house after an hour's discussion to discard a principle which is now thoroughly endorsed by the best authorities, and I would therefore urge that this Council should decide that whatever the ultimate decision might be upon this important principle, it is inadvisable to pronounce a hasty judgment upon it now.

I need not refer *seriatim* to the arguments which have been adduced by the Hon'ble Members. It is urged that the invidious distinction between the acquisition of land by the Improvement Trust and by the Municipal Corporation in itself condemns these provisions, but I think that argument loses much of its force when we remember that the Trust was created for a special purpose and that all these arguments were laid before the Council and met as I think when the Bill was passed in 1911. A further argument is drawn from mufassal practice. It is urged that if the mufassalite is entitled to compensation why should the Calcuttite be mulcted of what he considers his right. I think I may here cite the distinction which is often drawn in the English courts between "onerous" and "beneficial" acquisition. In the case of land being acquired for the purpose of making a square the benefits immediately enjoyed by the surrounding residents are obvious, but in the case of land being acquired in the mufassal, for instance, to construct a Police Inspector's quarters the transaction might be said to be onerous because the benefit is spread over the whole thana or district and that particular neighbourhood does not obtain any immediate or manifest advantage from the action. However, as I have already stated, I do not wish at this stage to enter into the various arguments which have been cited at any great length. I would base my case mainly upon the fact that Government proposes at an early date to legislate and that it is

*Resolutions.**Rai R. C. Pal Bahadur.*

inadvisable that the house should now come to a hasty decision upon an important principle which must thoroughly be discussed by this Council in the near future.

As regards the distinction which Government proposes to make between street schemes and improvement schemes, I may say a word. The Council are aware that a general improvement scheme is initiated to improve and abolish insanitary conditions, whereas street schemes although they may be initiated to remedy defective ventilation, etc., are more particularly intended to provide better means of communication. The Hon'ble Rai Bahadur may ask how Government can logically draw a distinction between the acquisition of lands for these different purposes. I may say that as a matter of fact the improvement schemes which the Calcutta Trust has up to the present undertaken are mainly street schemes. In fact the only general improvement scheme which the Trust has executed is scheme No. 1 known as the Surtibagan scheme. The Rai Bahadur then may probably feel that in accepting this half loaf he is standing on very safe ground, because as a matter of fact it has been found that the Corporation of Calcutta has shown no alacrity to represent insanitary conditions to the Trust and to press the Trust to undertake schemes of general improvement, so the actual position will possibly be very little affected by the fact that Government does not accept the whole motion. I spoke of a reservation in stating that the Government of Bengal was prepared to give the 15 per cent. additional compensation in the case of street schemes. The reservation is this: certain Members of this Council will probably remember Mr. Bompas' argument on this subject."

I have very little more to say. Some Members of this Council may remember that at the time when this Bill was discussed in 1911 Mr. Bompas stated that the Government of India who were financing the improvement of Calcutta to the extent of 50 lakhs had clearly stated that their contribution and their position would have to be revised if they understood that the Legislature proposed to give this 50 lakhs to the landlords as compensation. This Council will agree that the Local Government are not in a position immediately to undertake to promise that the payment of compensation in the case of street schemes should be inserted in the Bill. It will be necessary to consult the Government of India and obtain their views on the subject. But subject to their consent the Local Government intend, as I have already informed this Council, to introduce a Bill at an early date which will provide for the payment of an additional 15 per cent. compensation in the case of acquisition made for street schemes. In view of the action which Government propose to take, I would urge that the Council should decline to be forced into any decision now upon this important question of principle."

The Hon'ble Rai Radha Charan Pal Bahadur said :—

"My Lord, I have followed with very great attention the reply of the Hon'ble Mr. Goode. In the first place, when he began to speak he seemed to raise rather high hopes in my mind when he said that he was glad to be in a position to meet me more than half way, and gave me an assurance that legislation would be taken up at an early date. My Lord, in the first place as far as I have been able to understand him, it is an indefinite assurance. I do not quite follow what he meant by an early date—it may be this year, next year, or it may be three years hence, and in the meantime the present Act will go on. Then, my Lord, as far as I have been able to follow him, I understand that Government are prepared, subject to the approval of the Government of India, to restore the 15 per cent. statutory allowance in street schemes. Whatever the majority of Government may think in this matter—I am sure Mr. Goode is speaking as the mouthpiece of Government—there is some difference between street schemes and general improvement schemes in

*Resolutions.**Rai R. C. Pal Bahadur.*

regard to procedure and scope. But so far as the acquisition of property is concerned, there is not very much difference. In a general or in a street scheme not only the land required for the carrying out of the improvement is acquired but also surplus land on both sides of the road extending to 100 or 200 feet in depth is taken and in such cases all the houses situated within the area come within the limit of acquisition. A chart has been prepared showing 1st and 2nd class houses by Dr. Crake, the Health Officer placed on special duty, although we find that the chart is not in all places quite correct. However, that is a separate matter. But what I understand is that in street schemes 15 per cent. would be allowed but in general improvement schemes the whole area is declared for acquisition but is not actually acquired, that is to say, the properties lying on the road line are acquired and the rest of the properties are reserved to form building sites and are either re-leased to the former owner or by agreement to the owner who holds a major portion at a certain value fixed by the Trust. That is also the procedure followed in street schemes. What is the difference then? Here you pay 15 per cent. and there you do not pay 15 per cent. The case of general improvement schemes and that of street schemes is almost the same because both are designed to improve the sanitary condition, and I think therefore that additional compensation should also be paid in the case of general improvement schemes. That is the recommendation of the Trust. Much has been said about the recent report of the Home Government regarding additional solatium. I have not seen it but this much I can say that the conditions of India and England are very different. It may be said that you wish to follow the western example. You do so when it suits your purpose, but when it does not, you do not cite the western precedent. I may say that the conditions in the west are quite different. In your country you can easily without any compunction remove one family from one quarter to another. But here in this country there is considerable weeping and beating of breasts and shedding of tears. There is a great feeling for clinging to ancestral homes and therefore there is great difference between the conditions in England and those prevailing here.

The British Government have reigned in India for more than 150 years and therefore they ought to know that these things have to be done very tenderly. I do not think that the example of Great Britain should be applied here. There the war conditions have put everything topsy turvy. The Hon'ble Mr. Goode has cited the Bombay Improvement; but why should we go so far as Bombay. I do not think that as the people there live in *chauls*, flats and tenements they have so much clinging to their ancestral homes. It seems anomalous that whereas 15 per cent. compensation will be paid for lands even in an insanitary condition outside the limits of the Calcutta Municipality, the same will not be paid for lands in Calcutta. For lands acquired by the Calcutta Municipality the solatium is paid; whereas, it is not paid when the lands are acquired by the Calcutta Improvement Trust.

Mr. Goode has also referred to the mufassal. What is mufassal to-day will be included in Calcutta tomorrow or within a few years. I believe that in the near future, the jurisdiction of the Calcutta Improvement Trust will be extended to Cossipore-Chitpur, Maniktola and Tollyganj. At present the people in those places get the 15 per cent. allowance for compulsory acquisition; but when the Act will be extended to those areas two years hence, they will be denied their compensation. These people are poor; and is it just to deny them their solatium?

The Hon'ble Mr. Goode has stated that an early decision will be arrived at in this matter. I would like to have some assurance as to when it will be. I quite understand that the Bill will be fully discussed in Council, but before I decide to withdraw this resolution I must know when legislation is likely to be introduced."

Resolutions.

Mr. Goode; Rai R. C. Pal Bahadur.

The Hon'ble Mr. Goode said :—

“My Lord, it is proposed that the draft Bill will be brought in its final shape while Government are at Dacca, and steps will be taken to obtain the consent of the higher authorities to the introduction of the Bill. As I have said, the Bill will be introduced at an early date; but I am unable to give any fixed date.”

The Hon'ble Rai Radha Charan Pal Bahadur said :—

“On second consideration I beg to withdraw this resolution.”

The motion was then, by leave of the President, withdrawn.

LIST OF BUSINESS—Item No. 13.

The Hon'ble Rai Radha Charan Pal Bahadur also moved the following resolution :—

This Council recommends to the Governor in Council that the Government do take into consideration the amendment of the Calcutta Improvement Act, 1911, with a view to provide that in cases of applications for exemption surplus land under section 78 of that Act, an appeal may be allowed to the Improvement Trust Tribunal or any other competent Court of law in the event of any dispute arising between the owner and the Board as regards the sum in consideration of which the acquisition may be abandoned.

He said :—

“My Lord, this is also a motion which perhaps I may explain briefly in a few words. Under section 78 of the Calcutta Improvement Act the surplus land which is taken on both sides of the road can be exempted on payment of a fee if not required for the execution of the scheme. My Lord, it stands thus: the Board assumes the present value of the property and also estimates its future value; then whatever the difference less 20 per cent., or in the case of dwelling houses 33 per cent., is demanded from the owner of the property as fee for exempting the premises from acquisition. If the party agrees to pay that sum then his property is exempted; if not, his property is acquired and he has to leave his holding. When this section was inserted it was inserted in a very benevolent mood. The Government of India thought that having regard to the feelings of the people of this country—their deep rooted attachment to their property—they should be allowed to retain their property on payment of a fee not exceeding half the future value of the property. That was the despatch of the Government of India on the subject. I read it last night and I have read it this morning, if I am incorrect I may be informed by the Hon'ble Member opposite. Now, my Lord, the position is this: the Trust practically acquires the property and sells this property to the owner and the purchase price and future value are both assessed by the Trust. There is no appeal against this valuation. The Trust is in a dominant position and is the master of the situation. The Trust has forcibly got possession of a man's property and, although Government very generously allowed the owner to retain the property, practically he is entirely in the hands of the Trust, which is in a dominating position, that is to say, the Trust may say either pay this or get away. Though the valuation may be excessive the owner has no power to test that valuation. It is therefore suggested that where there is a difference, *i.e.*, where a party thinks that the present value has been underrated and the future value overstated, he may have an opportunity to go to a court of law, and as I have said here

*Resolutions.**Rai R. C. Pal Bahadur.*

the Tribunal is the court. Mr. Bompas in his speech in the Council during the discussions in 1911 stated that the Tribunal would be an expert body of valuers and I think, therefore, Sir, that a third impartial party like the Tribunal ought to be allowed to arbitrate between the Trust and the party. That is the principle which was urged on that occasion most strenuously by the non-official members of this Council but unfortunately, as is always the case, that was not accepted. It cannot be said that the Trust is infallible. As a matter of fact the last Administration Report will show that out of 60 cases referred to the Tribunal from the Collector's award, in 48 cases the Tribunal have increased the valuation by nearly a lakh of rupees and that shows that no one is infallible. Here not the Collector but the Board's officers are practically the masters of the situation, whatever valuation they will fix will be final. They practically buy your land at Rs. 500 a cottah, they sell at Rs. 20,000 a cottah. Would you pay the difference in order to get back your land? The party says no, you have valued it at Rs. 500 I do not agree. The Trust will say if you are not prepared to accept our valuation go away, we will have it acquired by the Collector. Then the situation is this; the Trust know the people's passion for clinging to their ancestral dwellings—and it is no exaggeration to say that their hearts bleed when they are told to leave their holdings. The British administration is such that there is appeal in every case but here there is no appeal. Within the closed doors of the Trust the man is told, will you pay this or not; if not, leave your land and go away. That is a situation very distressing to the people and, therefore, I have suggested that where the party is not satisfied with the valuation of the Trust, he may be allowed an appeal to the Tribunal and this concession will be welcomed by every man. Then, my Lord, why not grant this remedy to the people. The Trust is not an infallible body as I have shown by quotation that in many instances the valuation of the Trust and the Collector was enhanced. Sir Rajendra Nath Mukherjee who is here will perhaps bear me out. We selected a big piece of land in Beadon Row for a re-housing scheme valued at Rs. 2,500 a cottah. Before it was declared for acquisition we were informed later that somebody had taken it at Rs. 4,000 a cottah. If it had been declared for acquisition the owner would have got only Rs. 2,500 a cottah, however much he might have talked and cried before the Collector; but fortunately for him before the acquisition notice was issued—he sold it at Rs. 4,000 a cottah. That shows the difference between the valuation of the Trust Officers and the market rate; that was a *bona fide* purchase in which P. C. Kumar, a well known name, is the purchaser. Then, my Lord, there is no expert valuer on the Trust. To give another illustration: in the Marcus Square extension scheme the value of the structure according to the Trust estimate was Rs. 40,000 the Collector's award was Rs. 80,000. That shows again the difference between the Trust valuation and the Collector's valuation. I do not at all mean to say that the Trust values deliberately at a low figure, but there is always the chance of injustice being done; in some cases it may be a little more and in some cases less. Here we are not secure even in our ancestral holdings under British rule and we can at any moment be held by the neck and turned out. If a property owner has a right of appeal he has some consolation and that is the reason why I have moved this resolution. I hope it will be accepted. If there is an appeal there is a safeguard against the executive authority fixing an arbitrary fee; it will be a wholesome check upon the Executive if they know that the man may go and file an appeal. I respectfully commend this to Your Excellency's attention, and I am sure that these are the feelings of the people of Calcutta—people who are law-abiding and whose grievances have been expressed in public and in the press. My Lord, there is deep discontent in the city and I feel it my duty to bring it to the notice of Your Excellency."

*Resolutions.**Rai D. C. Ghose Bahadur ; Mr. Goode.***The Hon'ble Rai Debender Chunder Ghose Bahadur** said :—

"My Lord, when I came to this Council and intimated that I intended to say a few words on this resolution, I was of the feeling that an appeal from the order of a public body to a higher tribunal, whatever may be its advantage, has also its disadvantages and that I might not see eye to eye with my friend Rai Radha Charan Pal Bahadur. But having heard my friend's reference to the cases where the so-called expert valuers of the Improvement Trust have tried to do injustice to owners of properties, I think on a balance of convenience the experiment might be tried of having the matter reviewed by a tribunal which is constituted under the Improvement Trust Act and supported with the money of the Improvement Trust. If any appeal has to be preferred to any authority, I think the Improvement Trust tribunal will be the fit authority. I myself do not share with my friend to my right (Rai Radha Charan Pal Bahadur) in the idea that as our people are accustomed to go from one court to another, therefore, that there should be an appeal in a matter like this. I think in a matter like this the first authority should be a strong one, an authority with full knowledge and a sense of doing justice to house-owners. Some reference has been made to the Land Acquisition Deputy Collector. But where there have been Civil Service men they are generally liberal and inclined to be just. It is not a feeling which I express with reference to reports but from personal knowledge extending over a considerable number of years. In the beginning, if he has no experience he is apt to make mistakes, but as he acquires knowledge of the valuation of property he tries to be just and he has always the courage of his conviction and is not afraid lest the authority behind his back frowns at him, but a Deputy Collector unfortunately labours under a disadvantage. I know that if the latter officer were not dependent entirely on the good books of his superior for his promotion he would offer a higher price and be more just to the house-owners.

"Well, Sir, I will refer to a matter which I know. It is a compliment to the Indian Civil Service Land Acquisition Collector, but the reverse of it to the expert valuer of the Improvement Trust. When they began their operations they acted as one without the necessary knowledge of the subject. As regards a tenanted house, the best way of assessing it is to pay a certain number of years' rent, and in that case, there will be no dispute, but they thought that they could reduce the price and they accordingly proposed something for the land and something for the structures and of course they put a very low value on the land and a very low value on the structures. In a certain case the expert valuer of the Trust estimated the building property to be 70 years old which was actually not even 30 years old and so he valued it low on that basis. The Land Acquisition Collector, Mr. Peterson thought that the property was undervalued and he made a reference to the Improvement Trust recommending an increase as he was satisfied that the property was not so old. When the case went before the Trust Tribunal the expert valuer gave his evidence to the effect that the building was 70 years old, but the court disbelieved him and the court believed the story of the owner. The Improvement Trust has not taken any notice of the conduct of their staff, and I doubt very much whether a proceeding of that kind would not be a premium on carelessness. I therefore think that the staff which values the property should be improved and there should be a more efficient staff imbued with the spirit not to do any injustice by lowering the estimate where it ought to be estimated high."

The Hon'ble Mr. Goode said :—

"My Lord, in listening to the speeches of the Hon'ble Mover and the Hon'ble Rai Debender Chunder Ghose Bahadur I have looked in vain for any recognition of the fact that the whole essence of this question lies in the

*Resolutions.**Mr. Goode.*

difficulty of determining the future value of any property. The exemption fee-system is briefly this: the Improvement Trust in making a street finds that a certain piece of land is not actually required for the execution of the scheme, although it proposes nevertheless to acquire that land with the idea of recovering some of the improved value which the improvement scheme has produced. Instead however of the Trust at once acquiring that land the owner is in a position under the Act to ask the Trust to fix a fee on payment of which the Trust will abandon the acquisition. This in fact is a short cut towards the acquisition of the land and its subsequent resale on the pre-emption principle to the original owner of the land. Instead of the Trust acquiring the land and subsequently reselling it, it confers with the original owner and accepts a fee representing the improved value or some part of the enhancement of the value which the improvement has caused. Now the whole difficulty is to ascertain what the future value of that property will be, and I think that point has been somewhat neglected by the Hon'ble Mover in his speech. Obviously the ascertainment of the future value bears no relation or very little relation to the ascertaining of the present value. One is a matter of scientific computation helped by experience but the ascertainment of the future value is based largely on a guess or a prophecy. Now I would ask the Hon'ble Mover—how can you ask for a judicial determination in the matter of a guess or prophecy? It may be that one expert may be able to give a more accurate guess than another expert. The expert who has had more experience may be able after discounting the factors of special circumstances to approximate more nearly in his guess to the future value of a property; but nevertheless in the last resort his estimate remains a guess and he might be hard put to it to give reasons for the faith that is within him in making that estimate. Generally speaking, I would say that the respect which we attach to any estimate of any future value is based mainly on our respect for the expert and not on his arguments. In view of this fact—a very vital one in this discussion—I cannot conceive how the Hon'ble Rai Bahadur can ask this Council to assent to the principle that there should be an appeal to a court of law from the guess of an expert. He has suggested that the Tribunal is itself an expert body. It may be that the promoters of the Improvement Trust Act did originally intend that the Tribunal should be an expert body, but it cannot be said that the present Tribunal is composed of experts and it seems to me that it will be absurd to ask such a body to sit in judgment upon the guess—not upon the well-founded judgment—of an expert as to the future value of properties. That is why it has been so often suggested that the whole exemption fee-system resolves itself into bargaining or negotiation. The Rai Bahadur may suggest that the unfortunate owner of the property is at present given Hobson's choice. The Trust says if you will not accept the valuation which our expert has made then we shall acquire your property. I hope, however, that the Hon'ble Rai Bahadur will not adopt so cynical an attitude towards this body. I think it is inevitable that a body such as the Trust can never attempt in this indirect way to frustrate the obvious intention of the law and I feel therefore that the Rai Bahadur will not contend that any person coming before the Improvement Trust receives anything but fair and impartial consideration of his case. I was suggesting that it was a matter of negotiation between the two parties. The owner of the land assessed finds that it is worth to him so much to retain this property. The Trust has already decided that if they acquire the land for resale they will make so much profit. Between the two factors, viz., the profit which the Trust assumes it will make and the future value of the property as computed by its original owner between these some compromise has to be reached. This system of negotiation for a compromise is not a matter for judicial determination and I contend most strongly that it is quite out of place to lay these uncertain factors before a court of law. The Rai Bahadur suggests that the Improvement Trust is not infallible, that it may make mistakes and

*Resolutions.**Rai B. C. Pal Bahadur.*

that it is therefore advisable to have another authority to check its errors. I do not suggest for a moment that its mistakes may not be numerous but I do contend that its mistakes are any rate made in good faith, and I do not admit the dismay, consternation and the discontent which the Rai Bahadur will have us believe prevail in Calcutta at present in regard to the present method of assessment. I have sat in many committees of the Corporation on which the Hon'ble Rai Bahadur was himself present. I have watched and seen the considerate and reasonable manner in which the Corporation has discussed with owners of properties what fee may fairly be fixed in order that they might secure redemption from acquisition, and I see no reason for thinking that the same fair treatment does not prevail in the Improvement Trust Exemption Committee. But there is a further safeguard to the owner of the property. If he decides not to pay the fee which the Trust may fix he has still not yet lost his property. The land may be put up to auction and the original owner may then enjoy the right of pre-emption. He is then in a better position to determine whether the future value estimated by the Trust is fair or not. Again if he considers that the offer of the Trust is not a good enough one, and if he thinks that he will lose on the transaction he can refuse to pay the fee and the land may be acquired and put up to auction. I think the Hon'ble Rai Bahadur will on reflection admit that the Trust, as a statutory body, will exercise its power in a reasonable way and will not impose exorbitant fees with the hope and intention that the party may refuse to pay them, the property remaining in the hands of the Trust. In view of these facts I think that this House will refuse to accept the principle which the Hon'ble Rai Radha Charan Pal Bahadur has urged upon them. But I will also invite the attention of the House to the fact that this Bill will shortly be amended and that the whole question of recoupment is likely to receive treatment on broad lines and it is quite possible that the Government of Bengal may decide on some other method of recoupment whether betterment or frontage rate which will be more equitable and more easily worked than the present system. I would, therefore, urge even more strongly than when speaking on the previous motion that it is premature to discuss the question of principle at this stage."

The Hon'ble Rai Radha Charan Pal Bahadur said :—

"My Lord, I have listened with very great attention to the Hon'ble Mr. Goode's reply. As far as I have been able to follow him he has admitted what I mentioned to the Council that the fee is based on the difference between the assumed present value and future value. It is a very short cut—this acquisition and the subsequent sale to the owner—acquiring at the Trust's own valuation and selling at their own estimate of future value. I say, my Lord, that it is not fair that the party should not be given an opportunity to go to a third party but be compelled to accept the terms of the Trust who are interested in the matter. I do not say that they are interested in the way that they are bent upon doing an injustice to the owner. But all the same the Trust is interested, and I think there should be an appeal to the Tribunal. Owing to the benevolence of the Legislature, the Board have to offer their surplus land to the party of course at their own valuation. The Government of India in their despatch to the Secretary of State recognised the love and attachment of the people of India to their holdings. And why should they be deprived of their holdings by an interested party however well intentioned that party may be. That is my point. Then Mr. Goode has said that the difficulty lies as regards future valuation. He asks how can the Tribunal ascertain future valuation, the members of the Board are human and the Tribunal also are human. I may quote from Mr. Bompas who said in this connection that experts in land valuation were procurable and it was desirable to appoint a Tribunal for the trial of such cases which should be an expert body—it was intended to be a court of experts. That was in reference to the opposition of the Council at the time

*Resolutions.**Rai R. C. Pal Bahadur.*

to the creation of a Tribunal. Mr. Bompas fought hard for the Tribunal. He said it would be an expert body and that the people would be benefited and that the Tribunal would command greater confidence than a High Court Judge who might today be a Barrister and tomorrow a Civilian. He asked why should the Trust or anybody be afraid of going to experts who would consider all the facts. In England, I find from Mr. Bompas' as well as from Mr. Basu's speech, you have got an arbitrator appointed by the Local Government Board. Then why should you not leave matters to be decided by arbitrators? Let them judge whether the present valuation is fair and future valuation reasonable. Nothing is lost thereby and the party is pleased. In the debate on the Improvement Bill Mr. Bompas had to admit that the party had a right to say that somebody else must decide between the Trust and the claimant when they differed. Therefore, I think, that there is some reason and some ground for the demand that I now make on behalf of the people of Calcutta. Then Mr. Goode has referred to pre-emption. Mr. Goode knows very well all about it. He has been a very very sympathetic Chairman of the Corporation, I do not say this in flattery. But I ask is it fair to talk about pre-emption when you take away the right of redeeming the property? My Lord, I would explain what pre-emption is. The holding is acquired outright, the road is made or the improvement is completed, three or four years elapse and before the property not taken up for the roadway is put into auction the owner is asked, do you want this now? His house was there and if he had been granted exemption, he would have continued to live in his holding, and would have been allowed a rebate of not less than 20 per cent.; he could have made the fee a charge on the property instead of paying it in a lump sum. All these advantages count for nothing at the time of pre-emption when he has to pay down the whole amount in cash without any rebate, not to speak of the distress caused by the compulsory removal in the interval. Is that fair, my Lord? This point was debated in this Council and the justice of the case was fully pressed at the time by the Hon'ble Raja Hrishikesh Laha, Babu Bhupendra Nath Basu, Mr. Apcar and others, and I find from the proceedings that the Hon'ble Maharajadhiraja Bahadur of Burdwan voted on the popular side. But, my Lord, everything was washed away as there was a solid official phalanx that day even as there is today. I do not want to take up more time, but I would make a fervent appeal that this matter should be taken into the careful consideration of Government as there is a great feeling of discontent in the city over it."

The motion was then put and lost.

LIST OF BUSINESS—ITEM No. 14.

The Hon'ble Rai Radha Charan Pal Bahadur also moved the following resolution :—

This Council recommends to the Governor in Council that a committee, consisting of representatives of the Corporation of Calcutta, the Calcutta Port Commissioners and the Calcutta Improvement Trust, and representatives of other interests concerned, be appointed to report on the present condition of the Port Commissioners' lands in Calcutta lying north of Howrah Bridge, and to suggest the most suitable and effective methods for improving the sanitary condition of such lands and for developing them to the best advantage by structural or other alterations.

He said :—

"My Lord, in moving this resolution I should like to give a brief history of the Port Trust lands north of the Howrah Bridge. Originally the formation of the Strand Bank was partly the result of alluvial deposit and was

*Resolutions.**Rai R. C. Pal Bahadur.*

assisted largely by the municipality depositing for many years the sweepings of the town. When Strand Road was constructed some of the prominent landholders of Calcutta parted with their right over a considerable portion of the riverside land for purposes of public utility, and the Government of Lord Dalhousie stated that it was proposed 'to keep the land between Strand Road and the river in such a condition as to be both ornamental and helpful to the town and useful at once for the purposes of commerce and recreation. The design of the most noble the Governor of Bengal is that the land in question should be used permanently and exclusively for purposes of public utility connected with the trade, traffic, health and the convenience of the community in furtherance of which design, roads, ghats, wharfs and the like might be made, but no elevated buildings were in contemplation.'

In 1862 when the Calcutta Port Trust were made Trustees for the first time in connection with the property, then it was proposed that the land should be utilized for the reduction of port dues. Sir Ashley Eden (then Mr. Eden) spoke as follows :—

'As to the proposition of making over the river bank for the relief of the port dues, he considered it a most selfish one He confirmed what had fallen from an Hon'ble Member regarding the interest of the original pottadars and added :—It was certain that neither Lord Dalhousie nor the pottadars in compromising all disputes ever intended the bank to be devoted to the reduction of the port dues. *If the bank belonged to the public, it belonged to the whole of the public and should be applied for their benefit.*' The representative of the Chamber of Commerce agreed with the contention that the river bank belongs to the entire community.

For about 47 years, this property has been in the hands of the Port Trust, and what is its condition? If your Excellency would pay a surprise visit you would be astonished to see that it is in an abominable condition and is a permanent menace to the health of the city. It is a conglomeration of huts, godowns, etc., in insanitary and undrained condition, cattle are tethered in innumerable numbers on public roads and passes, and the whole area is kept in such a way that it is a source of perpetual nuisance to the city. The present Health Officer (Dr. Crake) District Health Officer in charge of the northern part of the city, reported that the state of affairs existing here was really scandalous. The Corporation for the last 15 or 20 years have been asking the Port Commissioners, as if on their knees—they are such a powerful body—to effect improvements; but every time a request is made, they meet practically with a rebuff. However, in 1909 a Conference was held between the representatives of the Corporation and those of the Port Commissioners regarding the widening of Strand Bank which is just on the riverside and the Strand Road which starts from the corner of Harrison Road. The Conference was attended by Mr. Payne; I was one of the members, and Sir Frederick Dumayne prepared a plan showing that the whole area would be admirably improved by providing a 70-foot roadway with 40 feet side-roads and with a river bank road of 40 feet; in width this would have admirably opened out the area. I have got the extract from the note of Sir Frederick Dumayne; it is this: a 75-foot road in the middle, 40 feet on the western side, and 40 feet on the eastern side. Then many of the existing buildings and huts would be removed; new buildings and even warehouses would be constructed and there would be ample space for ventilation and the whole area would be put in a tidy condition. We were enamoured of it and we thought that Sir Frederick Dumayne's proposal would materialize. I was expecting it to materialize every day, but I do not know what has happened to it. I fear that when Sir Frederick Dumayne left this country it was sent in the same boat with him and was dropped into the English Channel; it has not since seen the light of day. If your Excellency would drive

*Resolutions.**Mr. Cumming.*

over the area you will find that between the Ferry Ghat and Jagannath Ghat a huge four storied warehouse has been built not only projecting over the 60 feet roadway, but covering nearly the whole roadway, and affording only a subterranean passage, thus light and air are absolutely shut out. That passage is obstructed by rows of bullock carts—a teeming number of them—which are loading and unloading. On the north side there is a range of warehouses and on the east side there is a platform and there are warehouses on the first and third floor and a sloping staircase. The carts stand there loading and unloading at all hours of the day and therefore that road, which is always blocked up, is in an abominably filthy condition. People have any how to crawl through that passage in order to get to Howrah Bridge. A body of businessmen is keeping this area in this abominable condition. If the Port Commissioners dared to do this in the southern part of the town they would have been wiped off the face of the earth, but they are doing this with impunity in the northern part. The Corporation asked them to provide proper accommodation for carts and cattle and to pave all the passages over which there is heavy traffic. The Port Commissioners said: ‘you had better build the stable or let the Government contribute, we cannot pay anything.’ The other day they wanted to give a piece of land to the Corporation at the extreme north of Baghbazar on which it was proposed that the Corporation should construct a cattle-shed at a cost of about 3 lakhs, but the Port Commissioners would not pay a single pice. That is their justice; they are a powerful body, I do not know whether they are under the ægis of Government, but that is how they treat the Corporation. A few weeks ago the General Committee decided that it was not the business of the Corporation to provide stables for carts and cattle serving in the Port Trust area. If the Port Commissioners mean to let the carters continue the nuisance it will be a source of danger to the health of the residents of the northern part of the town. Everything continues in its pristine glory, my Lord. Some time ago I solicited your Excellency’s predecessor, Lord Carmichael, to pay a visit to the northern quarter. He expressed his willingness, if he could find time, to arrange a visit to that quarter. If your Excellency will pay a surprise visit, for if previous intimation is given of your Excellency’s visit, the officers will cover up the whole area with a red carpet—I am sure I will be able to show that not a word of mine is exaggerated as regards the condition of affairs there. The question of a river promenade was raised by Sir Francis Stewart and Mr. Bompas, but what to speak of a river promenade! The whole area is full of all sorts of refuse and the smell of dung is unbearable there. Such being the condition of things, I respectfully move that a committee be appointed consisting of representatives of the Port Commissioners, the Calcutta Corporation, and the Improvement Trust and of other local bodies and such other persons as the Government may think fit to report on the present condition of the Strand Bank Press and to suggest what suitable methods for effecting sanitary and structural improvement should be adopted.”

The Hon’ble Mr. Cumming said :—

“My Lord, the object which the Hon’ble Member has in view is, as he has stated in his resolution, the improvement of the sanitary condition of these lands and their development to the best advantage. The Port Commissioners and the Government are quite at one with him in this desire. He has portrayed the Port Commissioners as a powerful body absolutely impervious to any suggestion for improvement. This I do not consider to be a true picture. He has given an account of the lands which I might amplify; but I shall not take up the time of this Council beyond saying that these lands were the result of agreements between Government and the Port Commissioners at various times between 1874 and 1877. The Hon’ble Member

*Resolutions.**Rai R. C. Pal Bahadur ; Mr. Cumming.*

no doubt is correct in quoting the original idea with which such lands were transferred : they were for the purpose of public utility connected with the trade, traffic, health and convenience of the community. I do not think that the Port Commissioners at the present moment would be prepared to say that they have had a very definite policy in the past regarding such lands, but it is only right to realize the difficulties which beset their path.

In 1908 a scheme was prepared for the development of such lands, but at the time of the Port Facilities Committee in 1913 some portions of the scheme had to be revised or abandoned. Then later on in 1913 some new factors had come into existence in which there are, to some extent, still uncertain quantities. There are two main facts regarding any general scheme for the improvement of areas to the north of the Howrah Bridge which must be considered. First of all, there is the very important proposal about an inland harbour in connection with the Grand Trunk Canal scheme ; and, secondly there is the question of a Delivery Dépôt in connection with the King George's New Docks. These and other difficulties which I might enumerate have impressed the Port Commissioners and they realize that an entirely new scheme for the present moment would be difficult to prepare.

Now, the proposal made by the Hon'ble Mover has been anticipated to some extent. The Improvement Trust addressed the Government on the subject and suggested that it would be better to re-examine the whole question of this land, and if there were no scheme, to have one prepared ; and recently we saw in the press that the Calcutta Municipality had formed a somewhat similar opinion. On receipt of this communication the first action of Government was to find exactly the size and area of these lands and the terms under which they were held. Indeed I was prepared on behalf of Government to address the Commissioners on the subject just about the time the notice of the Hon'ble Member's resolution was received. The intention of Government is still the same ; and it is to address the Port Commissioners asking them to prepare a comprehensive scheme as far as they can to remedy the outstanding intrinsic defects ; and, before they finally submit their proposals to Government to consult the Calcutta Corporation and the Improvement Trust. That obviously will meet to a very great extent the object which the Hon'ble Member has in view in asking that a joint committee consisting of these three bodies proposed be formed. Moreover it may be in the recollection of members of this Council that in answer to a question this morning an intimation was made of the intention of Government to put on the statute book at an early date legislation regarding a Central Port Health Authority in Calcutta ; and obviously such an authority, if created, would have something to say regarding these various areas. These being the facts, my Lord, I submit that in view of the action which Government have already determined to take and are proposing to take the proposal in the Hon'ble Member's resolution is, if I may say so, premature, if not unnecessary. The Hon'ble Member will probably consider that the action which the Government will take will meet the object which he has in view more expeditiously. I would ask him to reconsider whether he would pursue the resolution or withdraw it."

The Hon'ble Rai Radha Charan Pal Bahadur said :—

"My Lord, I have listened to the Hon'ble Mr. Cumming's reply and if I have followed him aright, he said that the Government had already addressed the Port Commissioners on the subject."

The Hon'ble Mr. Cumming said :—

"I beg the Hon'ble Member's pardon. I did not say that ; I said that the Government were going to address the Port Commissioners."

*Resolutions.**Rai R. C. Pal Bahadur.***The Hon'ble Rai Radha Charan Pal Bahadur** (continuing) said :—

"I now understand, my Lord, that the Government are going to ask the Port Commissioners to submit their proposals for the improvement of this area in consultation with the Calcutta Corporation and the Improvement Trust. If I understand the Hon'ble Mr. Cumming correctly I think he said something about the Central Port Health authority. However, what I understand generally is that my motion will be met to some extent, in an indirect way; that is to say, that Government will ask the Port Commissioners to prepare their scheme in consultation with the Corporation and the Improvement. My motion is that Government should appoint a committee. Instead of doing that, as it would perhaps be rather like superseding the Port Commissioners, Government are doing it in an indirect way. The Port Commissioners are not like the Burdwan or Chinsura Municipalities which can be superseded. I am glad to hear that Government are going to take some action in the matter. However if the evils which I have brought to the notice of your Excellency are removed within a reasonable time I shall be quite content. My Lord, I would like to have some assurance that this will be done expeditiously. I want to know what time the Port Commissioners will take in submitting their scheme in consultation with the Improvement Trust and the Corporation, and I shall be glad if Government will give us a hint that this will be done within a reasonable time, otherwise the insanitary condition of the northern part of the town will continue to the great detriment of the residents there. With these observations, my Lord, I beg to withdraw my resolution."

The motion was then, by leave of the President, withdrawn.

Adjournment.

The Council was then adjourned to the next day Friday, the 4th July, 1919, at 11 A. M., in Government House, Calcutta.

A. M. HUTCHISON,

*Secretary to the Govt. of Bengal and
Secretary to the Bengal Legislative Council (Offg.).*

CALCUTTA;

The 24th July, 1919.

Abstract of the Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act, 1915.

THE Council met in the Council Chamber at Government House, Calcutta, on Friday, the 4th July, 1919, at 11 A.M.

Present :

HIS EXCELLENCY the Right Hon'ble LAWRENCE JOHN LUMLEY DUNDAS, EARL OF RONALDSHAY, G.C.I.E., *Governor of the Presidency of Fort William in Bengal, presiding.*

The Hon'ble SIR HENRY WHEELER, K.C.I.E., C.S.I.

The Hon'ble MR. J. G. CUMMING, C.S.I., C.I.E.

The Hon'ble SIR BIJAY CHAND MAHTAB, K.C.S.I., K.C.I.E., I.O.M., MAHARAJA-DHIRAJA BAHADUR OF BURDWAN.

The Hon'ble MR. J. H. KERR, C.S.I., C.I.E.

The Hon'ble MR. F. C. FRENCH, C.S.I.

The Hon'ble MR. J. LANG

The Hon'ble MR. J. F. GRAHAM.

The Hon'ble MR. M. C. MCALPIN.

The Hon'ble MR. S. W. GOODE.

The Hon'ble MR. F. A. A. COWLEY.

The Hon'ble COLONEL J. K. CLOSE, M.D., I.M.S.

The Hon'ble MR. T. O. D. DUNN.

The Hon'ble MR. J. DONALD, C.I.E.

The Hon'ble KHAN BAHADUR MAULVI AMINUL ISLAM.

The Hon'ble SIR RAJENDRA NATH MOOKERJEE, K.C.I.E.

The Hon'ble MR. R. V. MANSELL, O.B.E.

The Hon'ble BABU SIV NARAYAN MUKHARJI.

The Hon'ble KUMAR SHIB SHEKHARESWAR RAY.

The Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI.

The Hon'ble MR. ARUN CHANDRA SINGHA.

The Hon'ble SIR DEBA PRASAD SARBADHIKARI, KT., C.I.E.

The Hon'ble RAI DEBENDER CHUNDER GHOSE BAHADUR.

The Hon'ble RAI RADHA CHARAN PAL BAHADUR.

The Hon'ble SIR FRANK CARTER, KT., C.I.E., C.B.E.

The Hon'ble MR. H. R. A. IRWIN, C.I.E.

The Hon'ble DR. ABDULLA-AL-MAMUN SUHRAWARDY.

The Hon'ble MAULVI ABUL KASEM.

The Hon'ble MR. M. ASHRAF ALI KHAN CHAUDHURI.

The Hon'ble MAULVI A. K. FAZL-UL-HAQ.

The Hon'ble KHAN SAHIB AMAN ALI.

The Hon'ble BABU BHABENDRA CHANDRA RAY.

The Hon'ble MR. ALTAF ALI.

The Hon'ble RAI MAHENDRA CHANDRA MITRA BAHADUR.

The Hon'ble BABU SURENDRA NATH RAY.

The Hon'ble BABU KISHORI MOHAN CHAUDHURI.

RESOLUTIONS.

(Under the rules for the discussion of matters of general public interest.)

[The discussion of the resolutions left over from the previous day was resumed.]

LIST OF BUSINESS—ITEMS Nos. 15 TO 18.

The President said :—

“Items 15, 16, 17 and 18 raise substantially the same question and there need not be four separate discussions on the same matter. The discussion therefore will all take place on the first of these four motions standing on the paper, namely No. 15. If it is desired after the discussion is concluded I shall be prepared to put each motion in turn from the chair.”

The Hon'ble Rai Radha Charan Pal Bahadur moved the following resolution :—

This Council recommends to the Governor in Council that in view of the present rise in the prices of food-stuffs, a committee of officials and non-officials be appointed to consider the remedial measures already taken, or in contemplation by the Government, and to advise what further steps (if any) should be taken to alleviate the present distress.

He said :—

“Last February when we had a discussion about the high prices of cloth and food-stuffs on the motion of our indefatigable friend the Hon'ble Rai Mahendra Chandra Mitra Bahadur, the Hon'ble Sir Henry Wheeler was kind enough to explain to the Council the orders of the Government of India, and assured us that both the Local Government and the Food Commissioner were watching the circumstances as regards export trade. As regards import trade he admitted that the prices of wheat, gram and pulses were unfortunately very high, and attributed them to the failure of crops and the decrease in the purchasing power of money.

Subsequently matters became very acute, the price of rice in particular became alarmingly high, the coarsest rice selling at Rs. 8 per maund or so. Government have recently taken steps to reduce exports, and to permit the imports of Burma rice into Bengal. It would be interesting to know how far the exports of rice and other necessities of life to foreign countries have been curtailed, and in case any quantities are still exported out of India, whether such exports cannot be stopped altogether. I feel bound to point out that there is a feeling in certain quarters that the curtailment of exports to foreign countries has not gone as far as it should go, having regard to our own needs, and the prior claims of the people. In this connection, my Lord, I desire to draw attention to certain articles published in the *Bengalee* by an enthusiastic student of Indian economics, Babu Kshitish Chandra Neogy. From these articles I find that rice was exported from the port of Calcutta, according to Mr. Neogy, to the extent of 15,23,000 maunds in 1918-19, 20,19,000 in 1917-18, and 1,79,100 in 1917-18. Mr. Neogy had also shown that the daily average consumption of rice in the Province was eight chittaks only. In nine months from April 1st, 1918, to December 1918, the export of rice was four and three-fourths crores of maunds. Bengal imported the smallest quantity and exported the largest quantity during the last six years. The result was that the net quantity available for consumption was only 177 million maunds as against 239 and 229 million maunds during the preceding two years. Even under ordinary conditions, the quantity available was barely sufficient. With a decrease of imports, increase of exports, and with a growing population replenished yearly by large numbers of immigrants,

*Resolutions.**Rai R. C. Pal Bahadur.*

deficiency was more serious than was apparent through Census figures. These were facts which required looking into by a Committee.

I do not know whether these figures will be challenged, but they have been carefully compiled by a very capable student of economics. However that may be, the broad fact remains and cannot be gainsaid that prices of all kinds of foodstuffs are still extraordinarily high, and it is necessary to consider what other steps should be taken to alleviate the present distress which is undoubted and which is much more acute than people in favourable stations in life perhaps realise. It is no comfort to be told that the present high prices in India are part of a world wide economic movement. It may also be mentioned here that on a rough calculation based on Mr. Neogy's figures, we find that during last year, excluding export and including import, there was available only 8 *chitaks* of rice per head for the population. Eight *chitaks* of rice, my Lord, is hardly adequate even for one meal a day. Taking facts as they are, I submit it is incumbent upon Government to take all possible steps to ensure that people have enough to live upon at reasonable rates, having regard to their chronic poverty and the present purchasing power of the rupee. I refuse to believe that the problem is beyond the resources of Government, or that a satisfactory remedy cannot be found if Government and representatives of the people confer together. Various suggestions have been made by different people. The Corporation of Calcutta have suggested a substantial reduction in the extra-provincial or maritime exports, arrangements for concerted purchase for other Provinces, allotments of Burma rice for Bengal and reduction of freight on rice from Burma. In this connection I may mention that I have just received a note from a big rice-merchant of the city, Babu Amulyadhane Addy. He says that on the 15th May last, Burma rice was selling at Rs. 7 in Calcutta, Rs. 6-6 in Cawnpore and Rs. 5-15 in Bombay. He asserts that the Director of Civil Supplies has failed in making a fair distribution of rice. The Government of India have declared that rice is only exported to foreign lands for the consumption of the Indian population abroad. But Mr. Addy points out that even this year rice has been exported to Sweden where there are no Indian settlers. Mr. Addy suggests, as a remedial measure a prohibitive duty instead of the present system of control. Mr. K. L. Datta, a renowned officer of the Finance Department, now retired, stated that in the most favourable years, considering the want of the population, not more than 2 per cent. of the produce could safely be exported out of India and that in unfavourable years not a single grain could be sent out of India without detriment to the population. I am not an expert, my Lord, but I may say this that the present topic is agitating the different sections of the community—educated and uneducated, rich and poor. For my part I believe that Government have already taken action on certain lines, but it is possible that discussion in a small committee will bring out other suggestions. The problem is to render available a sufficient quantity of the main necessities of life, regulate their distribution and arrange for their sale at cheap prices either through official or voluntary agencies. To be effective, remedies must be fairly comprehensive, and it will be necessary to ensure that relief actually reaches the people for whose benefit it is intended. The matter is one which affects the daily lives of the people and a thorough comprehension of their wants and difficulties is essential to organising successful relief measures. This is essentially a matter in which Government and the people should work together in mutual co-operation and trust. A mixed committee of officials and non-officials would be in an infinitely better position to advise Government and to engender confidence in the people in the beneficent intentions of Government. I may say that there is nothing new in this idea of having a committee to advise Government. In the discussion in the Corporation Mr. Rhodes suggested it to license recognised dealers. Last year when the price of cotton goods went up an advisory committee was appointed and did

*Resolutions.**Babu S. N. Ray.*

useful work. Although the scope of work of the committee for which I move would be much larger, Government may rest assured that it will prove at least as useful, and the need for such a committee is no less:-

The Hon'ble Babu Surendra Nath Ray said :—

"My Lord, for the last few months the economic situation in the country has been most serious, causing the greatest suffering to the people. Since I had sent my resolution I find that representations have been sent to Government from various public bodies, for instance, from the Calcutta Corporation, from the Darjeeling Tea Planters Associations asking Government to take steps to reduce the price of rice. Government have not been unmindful of these representations. Some communiques have been issued by Government to ascertain the exact situation and also for the control of rice. It is generally believed by the people of this country that the present serious situation has been brought about by the seeming apathy on the part of Government and that efforts of Government have been, as stated by the *Englishman*, only spasmodic.

I think Sir Henry Wheeler may remember that I wanted to move a resolution asking Government to take action to reduce the high price of food-stuffs some time probably in December last and that I discussed the question with him. He was pleased to point out to me the inter-provincial character of the question and he informed me that he would place my resolution in the hands of the Commissioner of Food-stuffs who was expected to come to Calcutta within the next few days. I therefore did not move my resolution. I find however that in February last my hon'ble friend Rai Mahendra Chandra Mitra Bahadur moved a resolution about the high price of food-stuff and cloth. In reply to that resolution Sir Henry Wheeler on behalf of Government was pleased to reply as follows :—

'The Government of India made it clear at the outset that in respect of rice Bengal would not be allowed to close down export so as to keep all available stocks within its borders, and while shortly afterwards first in the case of the United Provinces and the Punjab and a little later in the case of all provinces, they allowed Local Governments to prohibit the export of food-grains, other than wheat and rice, from their jurisdictions except under certificate, they definitely said that they would not allow the powers thus conferred to be so exercised as to apply an absolute and uncontrolled embargo upon all exports of food-stuffs. We were then told that subsequent to the 25th January last the Government of India modified their policy in one material respect, and, while leaving wheat, rice and grain to be regulated by this special Commissioner, withdrew the powers of local Governments to impose restrictions on the movement of food-grains outside their provinces.'

Here we have got no doubt some of the obstacles which stood in the way of your Lordship's Government to interfere with the export of rice either inter-provincially or outside India. But the next passage which I am going to quote shows the attitude of the Local Government in the matter.

Sir Henry Wheeler was pleased to say, 'From 1911 prices rose steadily till 1913, and kept on a fairly high level through 1914 and 1915, rising even higher between September and December of the latter year. At the end of 1915 prices came down considerably and kept fairly steady till the end of 1916. They then fell again and steadied on approximately the same level until about October 1917. Then we have a big drop nearly down to the level of 1911, and while recently prices have risen again, they are not yet up to the level of 1913 or 1915. In the face of that record of prices I submit that it will be impossible to go to the Government of India and say we want to close down the export of rice from Bengal. All that we can do, we are

*Resolutions.**Babu S. N. Ray.*

doing. We are watching the traffic in rice, seeing how much goes out of the province, and keeping the Food-stuffs Commissioner informed of the facts. He is also watching circumstances in Bengal and other provinces, but beyond that, for the moment, we cannot very well go. That is as regards our export trade.' We learn that your Lordship's Government did not like to go up to the Government of India in February last because the prices had not risen up to the level of 1913 or 1915. I think the price of ordinary rice went up in 1913 and in 1915 for a short time. It was about Rs. 6 per maund. The same rice is now being sold at more than Rs. 8 per maund. Export of rice from Bengal to foreign countries has been, however, going on pretty merrily—overseas, not for the purpose of human consumption, but mostly for starching yarn and weaving operations and for the purpose of distillation. Rice is being exported even to Egypt and to Sweden where there is no Indian population to eat rice for whose benefit God alone knows though the Government of India distinctly informed the public by a Press *communiqué* that rice was being exported for Indians living in foreign countries. It appears from the Trade Return of Calcutta for April 1918 to March 1919 published under the authority of the Governor General in Council that whereas in 1917, 17,92,055 maunds and in 1918, 20,19,392 maunds of rice were exported from Calcutta by sea, within the three months of January, February and March 1919, 53,70,526 maunds of rice were exported overseas, i.e., Bengal exported nearly double the quantity of rice in the first three months of this year of what it did in the first two previous years. The meaning of these figures I would ask your Lordship to consider. They mean that the staple food of the country has been exported most recklessly without the slightest regard for the food of the people. It is no wonder that the poor are on the very precipice of starvation. The Government cannot say that the Indian Press has been silent on the question. Nor can it say that the representatives of the people in your Lordship's Council have not brought to the notice of Government the grave situation in the country. But it does not seem that their representations have had much effect on Government. Sir Henry Wheeler was no doubt pleased to say in February last that the attitude of Government would be one of watching. But unfortunately this policy of simple watching and seeing has brought about an unheard-of state of things in the country.

It is our firm conviction that if your Lordship's Government had taken timely action in this matter, things would not have taken this serious turn.

Various suggestions have been made to bring down the price of rice in this province. The subject has been discussed threadbare in the Calcutta Corporation and the Chairman of that body has already addressed your Lordship's Government on the subject. I have already said that the Darjeeling Tea Planters' Association have also submitted a representation. They all submit that the export of rice from Bengal ought to be put a stop to at once on the principle that the people must have sufficient to feed them before any Government would allow exportation and that measures should be taken for the import of Burma rice to this country. The last *communiqué* by Government on the subject of high price of rice has been published in the daily papers of the 16th June. We find there 'that the pronounced rise which began last April has been the subject of careful and minute examination. It is within the knowledge of the public that the control of rice is under the direction of the Government of India.' The public, however, will not be satisfied with this statement. Why were not proper steps taken in the beginning of January or even in February last to put a stop to the large export of rice from Bengal? Why was the attitude of Government simply one of watchfulness? Was the Government of India approached in proper time to avert this present serious situation? Why were some of the sister

*Resolutions.**Babu S. N. Ray.*

provinces successful in their endeavours? In the Punjab the price of wheat came down in the course of a single day by notification in April last.

Various suggestions were made in the course of the debate on this question in the Calcutta Corporation. I would add a few of my own for the consideration of your Lordship's Government. They are :—

- (1) All export of rice overseas to be absolutely stopped.
- (2) Burma rice to be imported in sufficient quantities for Bengal.
- (3) Freight from Rangoon to Calcutta to be reduced.
- (4) Burma rice to be carried by railways and steamers at concession rates.
- (5) Wholesale and retail price of Burma rice to be fixed.
- (6) Cheap grain stores to be opened in towns and villages.
- (7) Burma rice to be made available at fixed prices—if necessary at lower than cost price at stores to be opened at every thana and at the head-quarters of select rural co-operative societies and select union committees ; co-operation of municipalities, district and local boards to be secured for the purpose.
- (8) That the Director of Civil Supplies be assisted by a committee of gentlemen who are in the rice trade and one or two officials, and one or two independent non-official gentlemen.

This high price of the staple *food* of the country is ascribed by some to failure of crop last year in Bengal, but it is well known that the failure was only partial and was not of such a character that the people would have been obliged to starve or would have been obliged to purchase at about Rs. 8 or Rs. 9 per maund. There have been larger failures to our knowledge, but prices have never risen so high. The general impression is that if Government had taken timely action there would not have been this dire distress in the land. In this country where a great deal depends upon the action of Government it is the general opinion that timely intervention on the part of your Lordship's Government would have averted this critical situation. The means which the Government intend to adopt to reduce the price of rice as appears from the *communique* of the 16th June will not, we are afraid, grapple the situation properly. I think it would serve no useful purpose if a limited quantity of Burma rice were only imported to Bengal. Burma rice should be freely imported to Bengal so that it may compete freely with the rice in stock in the hands of the dealers in rice in this country. This and the measures already proposed by me will, I have every reason to believe if carried out, tend to reduce the price of rice. In this connection I have consulted some of the influential rice merchants of Calcutta. Let me quote from one of the letters received by me on the subject :—

High prices of rice in Bengal.

Causes of this may be outlined as follows :—

(1) Shortage of crops all over India being the chief cause. Bengal, Bihar and Orissa yielded about 68 per cent. of the normal. Rise in prices is greatly due to this.

(2) Large quantity of boiled rice (this being the only food for Bengal) was drawn for different provinces from Bengal—

- (a) Bombay drew something like 3 to 4 lakhs bags from Calcutta nearly all boiled rice without the sanction of Bombay or Calcutta Director of Civil Supplies. These consignments were under Military certificates, and the fact can be verified from railway books. Bombay does not consume any boiled rice, then why such large quantities were drawn.

*Resolutions.**Babu S. N. Ray.*

- (b) Berar also drew fairly large quantity of boiled rice from Calcutta while a fairly large quantity of Burma rice was being allotted to that province. This province also drew under Military certificates.
- (c) Madras and Colombo drew largest quantity of boiled rice and are still drawing. These parts get large quantity of Burma rice and can be still increased rather than to draw from a depleted province like Bengal.
- (d) Tea gardens and coal-fields should have arranged for their supplies through Director of Civil Supplies, Bengal, for Burma rice from Chittagong for tea gardens and from Calcutta for coal-fields.

This method would have relieved much pressure in the Bengal districts.

The Military priority certificates have been playing a very prominent part since the last 4 to 5 months in drawing boiled rice. These Military certificates, if properly investigated by a mixed commission of officials and non-officials, will reveal much. The Military Department never required boiled rice, and priority certificates were granted to persons who were never contractors to the Military Department. Places to which these goods were consigned never had any Military Depôt or a station. This traffic was carried on to benefit some body and made big inroads into the boiled rice stocks of Calcutta and the districts.

To bring down prices in Calcutta and districts.

(1) It is difficult to do much at this stage, yet an effort can be made in the following directions :—

- (a) To stop totally all despatches of boiled rice to up-country, Madras and Colombo. Similar orders should be passed to all Bengal districts for up-country despatches. Paddy might be allowed to be imported to Calcutta to supply mills who produce boiled rice for town consumption.
- (b) At present Director of Civil Supplies permits about 30,000 tons monthly of Burma rice to meet up-country demand. Out of this, say, 25 per cent, or 7,500 tons monthly of boiled Burma rice if it can be imported, it would affect the Calcutta market and lower the present prices. Boiled Burma rice should be imported at controlled prices and sold out here at different Calcutta centres at a small profit under municipal control. At present Rangoon raw rice is sold on this system, but it is not taken in much as town consumes generally boiled rice.

There are other articles of food of the people of Bengal besides rice which have also gone up in price, viz., pulses, mustard oil and wheat. I think these are governed by inter-provincial rules and I need hardly say that Government will be pleased to take such early steps as may be necessary to reduce their price. While not in favour of advocating the export of rice from Bengal to the other provinces of India I think it is not good policy to prevent the export of rice to those provinces upon which we have to depend upon for some of our own articles of food, such as wheat, pulses, etc. We are, however, opposed to the export of rice out of India.

Whenever the produce of a country exceeds the want of the people the supplies may be freely exported, that is to say, any food-stuff in excess of the requirements of the people can be exported into any foreign country that is in need of such food-stuff. This principle safeguards the inhabitants of the country where the special article of food is produced and any violation of

*Resolutions.**Maulvi Abul Kasem.*

this reasonable principle must produce discontent in the country from which the foodstuff of the people is allowed to be exported without any check.

I shall now deal with the question of the high price of cloth. We know that a resolution was moved in this Council by my hon'ble friend, Maulvi Fazlul Haq, to appoint a committee for recommending to Government to take such steps as that Committee may suggest for the reduction of the acute distress prevailing in the country owing to the high prices of cloth. That was in July 1918. That resolution was accepted by your Lordship's Government. The Committee was constituted, the Committee sat and the Committee made certain recommendations. We have from the speech of the Hon'ble Sir Henry Wheeler at that very time. The Government of India in their *communiqué* of the 24th August last announced their intention of attempting the manufacture of standardised cloth for the assistance of the very poor, that a Cotton Committee was appointed on the 1st October 1918 and that Committee issued some 1,700 licenses and that owing to this and other causes the market fell. We are told, however, that since that time the attitude of your Lordship's Government has been one of watching the course of trade and of getting the best information as regards the probabilities of the situation so as to be able to decide from time to time whether or not to take further action. There was no doubt a fall in the market but still the price of cloth remained more than double the original price. But within a short time the prices again rose though not to the price of September 1918. But as far as we see no attempt has been made to introduce standardised cloth in the market for the very poor, although the provinces of Bihar and Orissa, the Punjab and the United Provinces have all undertaken to supply the same.

The generality of the people of this province are as poor as the generality of the people of the other Province. Bengal is not a manufacturing country. The Bangalakhmi Mill cannot supply the cloth required by even one single sub-division of a district of this Province. Still nothing has been done. Is it out of deference to any vested interest? Reduction even by 4 annas for a piece of cloth to a poor man means a great deal to him. It means the cost of salt which is one of his necessities for at least a month. People naturally become discontented when they see the other provinces enjoy a benefit and that on account of the action taken by their Government and your Lordship's Government have been merely watching the course of events. Whether by the introduction of standardised cloth or by any other possible means the price of ordinary cloth used by the masses of the people may be reduced it is for the Government to consider. We can simply lay our grievances and make suggestions.

My Lord, last year when there was an abnormal rise in the price of cloth there were *hat*-looting cases all over the province. The price of rice however was very moderate then—less than it had been for the last two or three years. People could therefore fight with the then state of things. But things have assumed a different aspect at the present moment. There has been abnormal rise in the price of rice and every other foodstuff, whereas the price of cloth retains almost the same abnormal high price. The pinch has been great. Never has there been in the history of the country such an abnormal rise in the prices of every necessary article of life. The people have become almost helpless. We have got rice in our own country, but we cannot get it. Trades' unfeeling train has been carrying away the same without let or hindrance. It is high time for Government intervention in an active way."

The Hon'ble Maulvi Abul Kasem said :—

"My Lord, I rise to speak on this motion. But at the outset I may say that I do not associate myself with the recommendation that a committee should be appointed to consider the remedial measures already taken or

*Resolutions.**Maulvi Abul Kasem.*

about to be taken. The object which made me give notice of this resolution was to draw the attention of your Excellency's Government to the state of affairs in the country caused by the scarcity of food grains and the rise in the price of other necessary commodities of life. I know, my Lord, that the situation is very grave all over the province, but I have confined my resolution to the Burdwan Division and I have done so advisedly because in the first place I can speak of the Burdwan Division with some amount of personal knowledge; and in the second place I wanted to bring to the notice of your Excellency's Government some peculiar circumstances. I may say unfortunate circumstances under which we, the people of Burdwan, suffer.

Your Excellency is aware of the fact that practically since the year 1913, large tracts of arable lands in the Burdwan Division have been flooded by the rivers Damoodar and Ajai and there have practically been no crops to speak of in that area. The area is sufficiently large; it is about 250 square miles on the southern portion and an equal area on the northern side. Since then, however, steps have been taken by the Department of Public Works to mitigate the effects of the floods; but these attempts have not been successful. Although we hope to get good crops from a portion of these areas in the near future yet our hopes have not yet been realised. I have been assured, by the Hon'ble Mr. Cumming, speaking on the financial resolutions, that the provision made by Government for the prevention of the flood of the Ajai was such as to prevent any damage by anything less than super-excessive floods; and we earnestly hope and trust that such will be the case. My Lord, the present circumstances are that a large portion of the agricultural population have had no crops for nearly three or four years and the situation is therefore very grave and acute. Consequently I feel it my duty to bring to the notice of your Excellency's Council the fact that when the permanent settlement was made in the Burdwan Division almost all the portion of the arable lands in the Division were under cultivation; and naturally the assessment of revenue was very high; and the zamindars in spite of the permanent settlement have had no appreciable increment of their income or their rentals. However, in other places, where lands have since the days of the permanent settlement been brought under cultivation, the zamindars are now getting rents from their tenants for those lands for which no assessment were made at the time of the permanent settlement. For these reasons, the zamindars in the Burdwan Division are as poor as the cultivators; they are not even so well off as they have to pay a large amount of revenue and get very little profit out of their lands, and are not in a position to help their tenants. So, the only help we can expect at the present moment is from the Government; and I think, my Lord, that it will serve no purpose by detaining the Council by recapitulating all the various things that have been referred to by the previous speakers and the literature that has appeared in the Press and elsewhere on this question. What I would submit to your Excellency's Council is that some steps might be taken to relieve the agricultural population and the poor raiyats from the present distress. If a reference be made to the registration records, it will be found that a large number of holdings owned by agriculturists are being transferred often to money-lenders. These agriculturists find it impossible either to borrow money or to obtain food grains on credit and they are therefore obliged to alienate their cultivable land and in some cases even their homestead lands, in order to provide themselves and their families with food and other necessities of life. This is a serious state of things, but it was more so some time ago. The best course in such circumstances to get the help of the co-operative societies. Whoever may be at fault, at any rate, the co-operative societies are not very popular in my part of the province. I do not blame anybody; but that is a fact; and even granting that they were popular, there is no time at the present moment to establish co-operative societies to relieve immediately the sufferings of the

*Resolutions.**Babu S. N. Mukharji.*

people in great distress. In those portions of the Burdwan Division, which had good crops in the previous years and which had not suffered from the floods, the agriculturists had some stock of rice and paddy; and this was due primarily to the fact that they could not sell their paddy owing to the difficulties in export and transport by railway. But all of a sudden towards the end of last year somehow or other the transit of goods was made more easy, and merchants from Calcutta went to the various centres of Burdwan and Hooghly and offered good prices for the rice; and the agriculturist, who required money badly to pay off their rents and purchase other necessities of life, sold all their stock they had in their possession being afraid that the price of rice would go down. These agriculturists and jotedars, who generally have sufficient stock of rice not only for their own consumption for years but also for sale, are now practically without any victuals. Therefore it is necessary that some relief should be brought to their doors. Fortunately, for us, my Lord, at the present moment, we have in the district of Burdwan a very sympathetic and an exceptionally able and experienced administrator as District Officer; and if your Excellency's Government place sufficient funds at his disposal, he will be able to afford help to the people under his charge. Fortunately the same may be said of the other District Officers in my division; there are very able and experienced District Officers in almost all the districts of the Burdwan Division. I would therefore appeal to your Excellency's Government that sufficient means may be placed at their disposal to relieve the distress of the people and that the further transfer of agricultural holdings and homestead lands of agriculturists to money-lenders may be stopped, as that will materially affect the prosperity of the agricultural population. I do not know what measures are necessary and I cannot venture to make suggestions; but various suggestions have been made not only by the Hon'ble Rai Radha Charan Pal Bahadur and my friend to my right, the Hon'ble Babu Surendra Nath Ray but also by various public bodies and the press; and your Excellency's Government will be in a position to decide what measures should be adopted. With these words, I beg to support the resolution so far as it relates to the relief of distress of the poor but not to institute an inquiry into the matter."

The Hon'ble Babu Siv Narayan Mukharji said :—

"My Lord, in the midst of the world-wide rejoicings and jubilation consequent on the long-looked-for descent upon this earth of the Angel of Peace after the most sanguinary conflict which the world has ever witnessed, and to which history can hardly furnish a parallel, it would, I fear, be out of place and painfully discordant were we to join the chorus of wail that rises at this hour from one end of this vast Indian continent to the other by reason of the extreme suffering and want created by the not merely abnormal, but unprecedented, rise in prices of food grains and cloths—the two indispensable and ultimate necessities of human existence. But the times are such, and the exigencies of the situation are so stern and unrelenting that it is impossible for Government to assume a *laissez-faire* attitude, and for the public to accept the inevitable, and merely sit and brood over the chronic want and sufferings on all sides with the impassiveness of a Buddhist idol. India has had the misfortune to be rather a constant prey to scarcity and famine. The absence of a few bountiful showers of rain, all in good time, and, as its result, a failure, all round, of the winter paddy crop in Bengal or the spring crops of wheat, barley, etc., in Bihar, and we have the wolves of famine let loose upon the land. In dire emergencies, I would rather say, catastrophes of this kind, what Government generally do consists in making provision for work, supplying food for the labourers, and prohibiting the export of food-grains. It takes some months, sometimes more than a twelvemonth, for normal conditions to return. With the harvesting of the next paddy crops the prices

Resolutions.

Babu S. N. Mukharji.

of food-grains, which go up by leaps and bounds on these calamitous occasions, resume their normal figures; and improved facilities of railway communication and the promptness with which relief measures are undertaken have in recent years succeeded in considerably taking the sting out of the sufferings which such cataclysms bring in their train. Common though are dearths, scarcities and even famines in India thanks to the benevolent policy of Government, their kaleidoscopic appearance on, and disappearance from, its horizon, because meteoric, have ceased to have a lasting effect on its economic conditions. But the steady rise in the prices of foodstuffs and cloths during the last decade, culminating in their present fabulous figures, has, while enriching a fortunate class of adventurous capitalists, brought the general mass of population to the brink of starvation and raggedness, nay, even nudity. During the first half of the thirteen years from 1906 to 1919 the prices of commodities continued as follows :—

				Rs. A. P.			
Rice	...	...	...	4	0	0	per maund
Dal	...	...	...	4	8	0	"
Flour	...	...	...	5	9	0	"
Ghee	...	...	...	40	0	0	"
Mustard oil	...	...	...	15	0	0	"
Coke	...	...	...	0	5	0	"
Kerosine oil	...	...	...	0	1	6	per bottle
Manchester cloth	...	...	...	1	8	0	per pair

But after a little more than the four most eventful years of the great War the prices of those very articles stand as follows to-day :—

				Rs. A. P.			
Rice	...	...	...	9	0	0	per maund.
Dal or pulses	...	...	...	12	8	0	"
Flour	...	...	...	12	0	0	"
Salt	...	...	...	4	0	0	"
Ghee	...	...	...	90	0	0	"
Sugar	...	...	...	22	0	0	"
Milk	...	...	...	12	0	0	"
Mustard oil	...	...	...	40	0	0	"
Coke	...	...	...	0	10	0	"
Kerosine oil	...	...	...	0	3	6	per bottle.
Manchester cloth, coarse quality	...	...	...	5	0	0	per pair.

When we look upon this picture and on that what do we find? We find that the price of every common article of food and clothing has, during the last five or six years, steadily increased till it has assumed proportions out of all keeping with the average earnings of a member of the *bhadralok* class, not to say of the common artisan or the labouring classes generally. And even at those prices we are getting, in the language of the poet, chalk and alum and plaster for bread. One cannot have prevision enough to forecast the economic future of this country; neither can one be so far blinded by pessimism as to despair of finding a sovereign remedy capable of successfully coping with the situation. The tide in the market has been so steadily and so surely rising that fears are, not without some show of reason, entertained by people whose faith in *kismet* is proverbially strong, that there is no authority potent enough to be able to pass the word of command: 'Thus far shalt thou go, and no further.'

It is at this juncture, my Lord, that we naturally seek the aid of writers on political economy. According to the most rational view of the acutest thinker among them the most plausible case for artificially cheapening a commodity is that of food. The desirableness, he adds, of the object is in this case undeniable. Fortunately for the people, Governments in European countries have studied to reduce the occasional high price in times of emergency. They

*Resolutions.**Babu B. C. Ray.*

have done so, and have insisted upon the richer classes diminishing their own consumption, on the ground that if those classes buy and consume their usual quantity of food, and content themselves with giving money, they do no good. The country cannot be too grateful to Government for condescending to adopt such direct measures at the cost of the State as the importation of rice from Burma; but rice is not the only article of food of which the price has gone up beyond all reckoning. And the only remedy under the present most trying circumstances lies in opening depôts at District and Sub-divisional head-quarters and in large towns for the sale at moderate and controlled prices of the few articles of daily consumption. This course has, we understand, been adopted in Bihar, and we trust your Excellency's Government will pursue a similar course, and lead the van in the humanitarian work of averting a dire catastrophe which stares the whole country in the face. No one but a visionary would dream of a return of the good old days of Shaista Khan, when rice sold at eight maunds the rupee. We can nevertheless expect to see the passing of an ordinance prohibiting, for the nonce, the export of food grains and the production of artificial dearness by what is known as monopoly.

In these circumstances and at this grave crisis the Province looks up to your Excellency's Government for such benevolent measures as may afford relief to the distressed millions committed to your charge. It is the world competition that has been their ruin—world-competition and all that it stands for. Few and simple are their wants—a handful of rice to appease their hunger and a strip of cloth to hide their nakedness.

In supporting the resolutions so opportunely moved by my friends, the Hon'ble Babu Surendra Nath Ray, and three other Hon'ble members, I beg respectfully to commend them for final adoption to the sympathetic consideration of the Hon'ble members of this Council."

The Hon'ble Babu Bhabendra Chandra Ray said :—

"My Lord, the distress prevailing in our country has already assumed such a widespread and acute character that prompt and bold action is urgently necessary on the part of the authorities. Since the first alarm was given by a scanty monsoon last year, we have witnessed a sorry spectacle of inaction in Bengal, except in certain areas where serious famine conditions prevail. The control of rice traffic is no doubt under the Government of India, yet it is difficult to say that the provincial Government have discharged their share of the responsibility with credit.

The first tangible sign of activity was the attempt to take a census of rice-stocks in Bengal in November last, which, though admitted to be disappointing and defective, appears to have been sufficient for the purpose of persuading the authorities that Bengal had surplus stocks of rice. As these census figures have not been published, we are not in a position to say how far this conclusion was justified. But it is perhaps this optimism of the local authorities that has led the Food-stuffs Commissioner to encourage export of rice in so large quantities from our province, with the result we all know. Even in February last, the Hon'ble Sir Henry Wheeler ignored that our enormous exports contributed in any way to the distress. He said, 'Nothing that we can do will remedy the factors making for high prices, namely, the failure of the crops due to a deficient monsoon and the decrease in the purchasing power of money.' But the blunder of the authorities in ignoring the third and a potent factor, namely, large exports to foreign countries, which was wholly preventible, has at last been indirectly admitted by the recent decision to cut down export, after it is too late.

*Resolutions.**Mr. Irwin.*

My Lord, the non-official Indian members of this Council made repeated attempts to make your Lordship's Government recognise the seriousness of the situation, and suggested for their consideration several measures of general relief which have been tried with success elsewhere. But the authorities put forward very many excuses for their policy of drift and treated these suggestions with the usual disregard. In reply to a question of mine, Government refused to suggest to the District Boards and Municipalities the desirability of opening cheap grain stores, a step which has been taken in some other provinces and several Native States to relieve the general tension. And when later, I moved a resolution in connection with the financial statement recommending that a certain sum should be placed at the disposal of the District Boards and Municipalities for enabling them to open cheap grain shops, I was told that it would lead to interference with trade, and further that the amount suggested would be insufficient for the purpose. But this latter difficulty does not seem to have been altogether insurmountable, because Government could easily increase the grant if so disposed.

My Lord, it is a pity that your Lordship's Government should have underestimated the gravity of the situation, and failed to appreciate the difficulties of the people committed to their care. In February last, a graph was exhibited in this Council showing the course of prices during the past few years, for the purpose of consoling us with the thought that the prices of rice had not at that time reached the level of 1913 or 1915. This procedure betrayed a lamentable want of acquaintance with the circumstances of the people which have been so seriously affected by the long prevalence of war prices all round. The authorities ought to have known better than to institute any comparison between the circumstances of the people in 1913 or even 1915, with those of 1918-19. The phenomenal rise in the price of cloth and other commodities has long exhausted the resources of the people, and the present scarcity of foodstuffs is indeed the proverbial last straw.

My Lord, we must tender our thanks to Government for their recent *communiqué* whatever it may lead to. But in order that any measures may be effective, they should be taken early, and in close co-operation with the people themselves. It is necessary that in such critical moments, the representatives of the people should have a potent voice in determining the course of action to be followed. I therefore support the proposal for the appointment of a committee to go into the whole question."

The Hon'ble Mr. Irwin said :—

"My Lord, in connection with this resolution I should like to say that I have it on excellent authority that about two months ago there were no less than 225,000 maunds of rice consigned to Bihar and Orissa accumulated at three stations on the Darjeeling-Kishanganj Branch Line, and the General Manager of the Darjeeling-Himalayan Railway himself told me that the Eastern Bengal Railway could not take over more than 4,000 maunds per diem. Thus it would take from 50 to 60 days to move the whole amount. Meanwhile some of the rice was rotting and some actually growing out of the bags whilst we in Darjeeling were crying out for supplies.

On top of this it is reported that the Food Controller of Bihar and Orissa purchased another 1,300 maunds at Matigara, a large bazar in the Darjeeling district and actually situated behind the stations at which the first mentioned quantity was lying rotting for want of transport. My Lord, I will not waste the time of the Council with any comment upon this."

*Resolutions.**Babu K. M. Chaudhuri.***The Hon'ble Babu Kishori Mohan Chaudhuri** said :—

“ My Lord, I do not propose to say anything about the export or import from outside India, as I know that Government have been doing all that can possibly be done. That owing to the paucity of supply there has been great suffering amongst the people for want of foodstuff is admitted on all hands. It is a question of demand and supply, and if the supply can be added by outside import, i.e., importing rice from Rangoon, that can be done by all means, and Government will see of course how far the export from India can be controlled. But there are other difficulties within the province. I understand statistics are being collected as to what amount of supply there is in the country and how far we can depend upon it. We see from the newspaper reports that in every district of Bengal the supply is not sufficient. One precautionary measure should be taken in regard to the capitalists—the rice-dealers and the money-lenders. As in the case of jute, the jute-dealers gained much and as in the case of cloth the Marwaris made enormous profit, so in the case of rice the rice dealers and money-lenders are storing the paddy with a view to selling it at a high price in the market and thereby making considerable profit. In my district, Rajshahi, which is a paddy-growing district, this difficulty is felt there, and I telegraphed to Government to take immediate steps to control the supply and I also approached the District Magistrate on the subject. The Hon'ble Mr. Cumming was kind enough to pay a visit there recently and I also brought to his notice what could be done in that direction. In collecting the statistics great care should be taken to see how far the supply is available for general consumption and how far it is being stored by the capitalists—money-lenders. The cultivating class is entirely in the hands of the money-lenders during the rainy season. I know in my district paddy is being sold to the cultivators at Rs. 5 a maund and upon that interest is being charged by the money-lenders at 25 per cent. and that when paddy will be harvested in December and January the money-lenders will realize the whole thing, i.e., the money value and the cultivators will have to sell the paddy, when it will be harvested, at a very cheap rate, and the result will be that they will have to pay more than cent. per cent. for the help they are now getting from the money-lenders. In fact for taking a maund of paddy they will have to pay more than Rs. 6 and perhaps at the harvest season for one maund of paddy they will have to pay nearly 3 maunds of paddy. I suggested to the Hon'ble Mr. Cumming that co-operative credit stores might be started and that loans might be granted freely. It has perhaps been brought to your Excellency's notice that in Naogaon the Co-operative Credit system has been started under Government patronage, and the middlemen and brokers have been done away with. A store house has been built in every district, and *ganja* is being supplied direct therefrom and by this considerable profit has accrued to the *ganja* cultivators. We see almost all the necessaries of life are very dear, and it is certain that the purchasing value of money has decreased. How that can be increased it is for the Government to devise means. If the purchasing value can be increased it can be done only by Government, and all we can do by private agency is to advise the creation of co-operative credit societies and also the grant of agricultural and other loans. In the case of cloth and other things I think the arrangement that has been done at Naogaon for *ganja* can be easily done. Instead of supplying cloth to the market through the middlemen the mills can be encouraged to send supplies direct to every district store house and the people may buy from there. So jute can be stored under co-operative system and it can be exported or supplied at a high price so that the dealers may not suffer on account of the low price. On the one hand the supply of money may be increased and on another the supply of necessities may be increased. The rice dealers are now purchasing paddy

*Resolutions.**Maulvi A. K. Fazl-ul-Haq.*

and controlling the price. If side by side co-operative societies can purchase with the help of Government or they can raise money amongst themselves or can borrow from Government or from other Co-operative or Central Bank they can also purchase paddy and rice and can supply them at cost price. In my district when I first approached the Magistrate I was told that if there were any capitalist he could be helped in getting facilities for importing rice from outside, and fortunately I secured the services of a Marwari gentleman who offered to purchase ten thousand maunds of rice and to sell it at cost price in the market and then I approached Government to help him in securing paddy from outside but unfortunately nothing has yet been done. I think much can be done if the cultivators can be supplied with money under the co-operative credit system and I believe by this means they will be relieved to a great extent from the highhanded dealings of the money-lenders. I am grateful to Government for the State help in Rajshahi on account of the flood, but something should be done for at least three or four months till the *aus* paddy grows during which the cultivating classes will be obliged to borrow money at high interest. If the market can be controlled as suggested I think much relief can be given. Of course I am not in favour of an inquiry by a committee. I think a conference may be held in which the matter may be discussed and means devised as to how possibly help can be rendered to the sufferers. In that way a committee can render some help, but immediate action is necessary. Within two or three months the *aus* paddy will grow and I think the cultivators will be much relieved of their distress if something is done immediately. With these remarks I support the resolution."

The Hon'ble Maulvi A. K. Fazl-ul-Haq said :—

"My Lord, after all that has been said it is hardly necessary for me to take up the time of the Council by any lengthy remarks of mine, but having given notice of a similar resolution I feel that I ought to say a few words just to associate myself with what has fallen from my hon'ble friends as regards the necessity and the extreme urgency of devising some measures to afford relief to the people in the distressed areas. My Lord, I will content myself with making only a few brief remarks. It is quite conceivable that cultivators as a class, having very little resisting power, would fall a ready victim to famine or be subject to dire distress in case crops fail or for some reason or other. I do not know, but this is my information, that it is not merely the cultivators but also the poorer middle class people who have been very hard hit during the present distress. A little consideration and a rough calculation will give members of this Council an idea of the distress that has been prevailing amongst the middle class people of this Presidency. Having regard to the fact that it is not merely rice but also other necessities of life that have gone up in price, it can be easily calculated that it requires at least Rs. 8 or Rs. 10 a month for an individual to keep body and soul together. Let us take the case of a family consisting of one man, his wife and two children. The figures works up to Rs. 40 a month in order that this family should live just from hand to mouth. Add to this the medical charges, the prices of cloth and other necessities which are very high, and it would be quite clear that the earning member of the family must have an income of at least Rs. 50 a month in order to be able to get on somehow. Fifty rupees a month is an income which very few people in this Presidency can be said to possess. Therefore one can conceive of the distressful condition that these people have been reduced to with the high prices that is now raging not merely of rice but of other necessities of life too. There have been authentic cases reported in which it is said that the heads of families feeling the distress and unable to provide sufficient means for their families have committed suicide. There are six such cases reported in the issue of the *Sanjibani* of the 26th June last over the signature of the President and the

*Resolutions.**Rai D. C. Ghose Bahadur.*

Secretary of the Ramkrishna Mission from the district of Bakarganj in a place called Bharakati about 14 miles from the district headquarters and from one or two villages round about and within a radius of three miles from the Brahmanbaria subdivision of the Tippera district. There can be no doubt that these cases are authentic cases and I have reasons to believe that these cases are not very rare. It must therefore be admitted on all hands that the situation is certainly a very grave one and calls for some immediate help in order that relief may be granted to the people. The only question to be considered is one of ways and means. My resolution suggests that exports should be controlled and that greater facility should be given to imports, and I also suggested that Government might take such other steps as may be thought proper. My hon'ble friend, the Hon'ble Rai Radha Charan Pal Bahadur, has suggested the formation of a committee. I did not myself think that a committee should be formed. I am rather inclined to think that something should be done immediately and that deliberations of committees only entail delay. But if a committee be formed for taking immediate steps I would not object to the formation of a committee in view of the fact that the deliberation of the committee might enable us to co-ordinate the different points of view. Before I sit down I wish to say just a few words by way of an appeal to the Hon'ble Member who is in charge of the department. There is a well-known Sanskrit proverb that Kings see with their ears. That is to say that Kings do not generally see things with their eyes but depend on the report of others. If those who are interested would see with their own eyes the distress which is prevailing, no speech would be necessary on the part of the non-official members to convince the authorities that something should be done immediately. Every day is precious. We do not know, but there may be hundreds dying or at the point of death even at the present moment. I was told the other day of the case of a Hindu widow who would not certainly go out of her house to beg for alms. She was suffering from various diseases brought up by insufficiency of food and she was actually without food for three days. At the end of that time she was given two seers of rice but there was no body to cook for her. Some kindly persons came to cook for her and gave her a little to eat. After taking a morsel or so she became unconscious and it was with great difficulty that she regained consciousness after a full day. This is what is happening, and although I know that this problem is of an extremely complicated character involving world problems and our relation with other countries, I cannot believe that the ingenuity of the British Government cannot find a solution however difficult it may be. If Your Excellency will pardon me I consider it something of a disgrace to the British administration that famine condition should be almost normal in a land which is otherwise so bountifully supplied by nature. We know that just a century ago rice used to sell at 8 maunds per rupee. Even during the time of the much maligned Serajudoulla rice used to sell at 6 maunds per rupee. Now 150 years later, rice is selling at the rate of Rs. 10 a maund. There is no doubt that the population has increased but along with that it must be remembered that many waste lands have been brought under cultivation. There can be no doubt that there are greater facilities for exports and imports too. But there must be some cause which is to be found out and which really accounts for this extraordinary rise in prices. The price has risen sixty times and it cannot be explained by saying that the population has increased. The problem is one which demands immediate solution and the most earnest consideration and I beg that the Hon'ble member will take this matter into immediate consideration and afford relief to the famine-stricken population."

The Hon'ble Rai Debender Chunder Ghose Bahadur said :—

"I am afraid I cannot contribute much to the discussion. But I may say at the outset that I do not agree with the Hon'ble Rai Radha Charan Pal

*Resolutions.**Rai D. C. Ghose Bahadur.*

Bahadur that Government should be pleased to appoint a committee to consider the situation. Committees would be of not much use at this moment. Government cannot do much at headquarters, it has got to depend on its District Officers, and I believe they are trying to do their best. After all we must remember that the local Government has not much power to deal with the situation. Questions of fiscal policy and of export and import and of currency have to be dealt with by the Imperial Government at Simla. All that this Government can do is to inform the Supreme Government that the situation is such as may lead to something dire if it is not remedied now and it can only suggest some measures to alleviate the distress by stopping, for instance, the export of food grains and of cloth and cotton. Some of us were born at a time when the theories of Cobden and of Bright had swayed the field and we were brought up in the economical theories of those days—economical theories which were preached to the world by John Stuart Mill—and I well remember that the Government of Bengal in 1865 failed in its duty by sticking to these theories. The people of certain parts of Orissa and Midnapore died like flies and I also remember that in the year 1884 the then Lieutenant-Governor of the province, Sir George Campbell, warned the Supreme Government that unless the export of rice was stopped, the Bihar famine could not be stopped. Sir George Campbell was somewhat in advance of his time and the Viceroy of the day, Lord Northbrook, a thorough free trader, would not listen to the proposal. He took measures and succeeded in alleviating the famine to an extent that not a single person was allowed to die of starvation. But this he was able to do after an expenditure of public money to a very enormous extent. Stories are told that shiploads of rice used to come up the river Hooghly from Burma to Calcutta and shiploads of rice to go down the river Hooghly to foreign countries because of the theories of the Supreme Government that we should not interfere with free trade. I believe, My Lord, that the course of events in the world has led the people in England to revise their theories and we in this country, I mean the people of this country, who have always been conservative in their ideas have found at least in some cases support from the Government, and it was much to be wished that the Government should push its ideas for the interference of free trade in preventing export for some period of the necessities of life in order to protect its own people. We have been told in the *communiqué* of the Government issued in the middle of June by the Supreme Government that the export of rice is being allowed to countries where there are Indians who require rice for their subsistence. But I was not aware of the fact, as was stated to-day by the Hon'ble Mr. Surendra Nath Ray, that for that reason rice is being exported to Egypt and Sweden. I can well imagine that there may be a dozen or so Indian Mahomedans in Egypt, but I was trying to find out whether there are any Indians in Sweden. I recollect, however, that Mr. Har Dyal who has abandoned India and who is now issuing pamphlets and letters from Stockholm, requires rice for his sustenance. But the Indian Government is under no obligation to export rice to Sweden for his health and comfort. There may be other reasons for sending rice to Sweden and if that country requires rice for commercial purposes such as the preparation of starch or the manufacture of spirits, I think these operations might be stopped for some time, and we might put some obstruction in its way. I do not think that our international relations will be disturbed if we stop the export of rice to Sweden. We might look with an indulgent eye if the Indian Government placed an embargo on the export of rice to Egypt.

Then, as regards export of rice to other countries, I think that it is presumptuous on my part to say—and I do not pretend to have studied the subject thoroughly—but supposing we say that we require rice for our own subsistence, we cannot spare it, would it be

*Resolutions.**Rai Mahendra Chandra Mitra Bahadur.*

an outrageous thing for the people of the neighbouring countries to say that we look for that food for our own subsistence and we must have it even if you have to deny it for yourselves? I do not think we should be doing a very outrageous thing if we stopped the export. We have not reached that condition of life which would make us obliged to undergo that amount of sacrifice and help our neighbouring countries. It may be that there are people of our kith and kin there, but they must look to the resources of the country where they have chosen to go.

As regards cloth I am sorry, My Lord, that I have not for the moment the figures, but they could be gathered from the last publication of the Government on the trade of India. I remember to have seen the figures, and I think the figures for 1917-18 showed that if we could only stop the export of cotton and cotton fabrics and if the port of Bombay were shut out against Japan, China and Africa, the situation would be eased in no time. Our relation with China and Japan is very friendly, but that is no reason—and I also know that Japan by her exports to this country during the time of war has helped us a great deal—why we should approach the point of midity by exporting cotton and cotton fabrics to these countries. Indian cotton goes to Japan for manufacturing purposes, comes back here and is sold in the Calcutta market. That is a state of things which should not be encouraged and a very large proportion of mill products of Bombay go to China and Japan. If that is stopped, all the mill products will come to Bengal and it will ease the situation to some extent."

The Hon'ble Rai Mahendra Chandra Mitra Bahadur said :—

"My Lord, I beg to associate myself with the observations of the previous speakers. The rise of the price of rice, cloth and other necessities of life is the subject of anxious thought by all who live in Bengal. I brought it to the notice of Your Excellency's Council and moved a resolution on the subject at a meeting of the Council held on the 19th February last, so I shall avoid repetition now. On that occasion Sir Henry Wheeler's reply was a lengthy one relating to the burning economical question of the day. My Lord, what is to be done now. Every body looks to Your Excellency's Government for help and intervention. At the present moment there is a cause of apprehension of actual scarcity, not to speak of famine if the prices of foodstuffs are allowed to increase so rapidly. What is the solution of the problem regarding the sufferings of the poor, specially the persons on small fixed income? Your Excellency's Government can find out the remedy if the responsible members of Your Excellency's Council are determined to take effective steps out of genuine sympathy for the people. It will be interesting to quote a few lines from the District Gazetteer of Hooghly published by the Government of Bengal. The table below will give sufficient indication of the rise in the prices of food grains, the prices being shown in seers per rupee :—

Average of years.	Rice (Common).	Wheat.	Gram.
	seers.	seers.	seers.
1793-1813 (21 years)	... 40.00	50.50	50.50
1861-1865 (5 ")	... 21.00	21.4	22.71
1866-1870 (5 ")	... 20.84	21.86	17.14
1871-1875 (5 ")	... 16.94	14.64	18.74
1876-1880 (5 ")	... 14.40	13.89	15.43
1881-1885 (5 ")	... 16.59	15.57	18.37
1886-1890 (5 ")	... 14.86	13.95	17.16
1891-1895 (5 ")	... 11.86	12.95	15.03
1896-1900 (5 ")	... 10.95	10.97	12.59
1901-1905 (5 ")	... 9.98	10.34	12.64
1906-1907 (2 ")	... 7.40	8.50	9.46

*Resolutions.**Rai Mahendra Chandra Mitra Bahadur.*

These figures show that during the last half century prices have been enhanced three-fold. If further proof be needed of the change which has taken place, it will be sufficient to mention that after the famine of 1866, in which the average price of rice for the year rose to 12·86 seers per rupee, the Collector reported that if the price of ordinary rice were to rise as high as 13 seers per rupee soon after the winter harvest, it should be considered as a warning of approaching famine; and in his opinion, Government relief operations would become necessary when the price of inferior rice rose beyond 12 seers a rupee. During 1906 and 1907, however the average price of common rice was less than 7 or 7½ seers per rupee without any relief measures being deemed necessary.

Such interesting account may be found in every District Gazetteer of Bengal. Now, rice of coarse quality is selling 5 to 6 seers per rupee in almost all the districts of Bengal.

From the Estimates of Area and Yield of the Principal Crops in India, published by the Director of Statistics to the Government of India, I find that in Bengal as well as India area under cultivation for rice and yield of rice have been increasing since 1914-15. It is an admitted fact that export is responsible for the shortage of food-grains in Bengal. This fact was proved by Sir George Campbell, the popular Lieutenant-Governor of Bengal, when famine broke out in Bengal and Bihar in 1873 and 1874 and when average price of rice was 11·82—28·55 seers per rupee.

Immediate steps should be taken by Your Excellency's Government for establishing shops for the sale of rice and other food-grains in every village or group of villages under the supervision of President of the Panchayet, members of the District or Local Boards, Circle Officers, Deputy Collectors and the Collector of the district at a cheaper price. The District Magistrates and Subdivisional Officers should be authorised by Your Excellency's Government to take over at an early date all stocks in possession of dealers who are suspected of hoarding food-grains and selling them at a prohibitive price. My Lord, there are other suggestions which have been made to this Council. Every one who is present here in this Council will have the candour to admit that the situation is very acute. My submission is that there ought to be co-operation between the people and the officials of Government. The people ought to approach the officials and submit their schemes in order to give immediate effective steps to relieve the distress which is prevailing here.

My Lord, I submit that there ought to be concrete propositions in which we can deal with this very important question in issue before the Council. If the suggestions of non-official members of Council are accepted, by the Hon'ble Executing Member of Your Excellency's Council, I believe we can be of some use to the agriculturists and middle class people. When I was coming to the Council Chamber, I was beseeched by a large number of people to represent to Your Excellency that the situation is very grave in the mofussil. I am perfectly aware of the distress and I am sure Your Excellency's Government is also aware of the fact. The question is what practical effective steps should immediately be taken for the purpose of alleviating the distress. That being so, the question, as the Hon'ble Maulvi Fazl-ul-Haq has stated, can be solved by the British statesmanship and British ingenuity. My earnest appeal is that something ought to be done to relieve the present distress.

On various previous occasions, I represented to the Council about the scarcity of cloth. I wish I could give Your Excellency a vivid picture of the distress prevailing in the country. With these words, I beg to support the resolution."

*Resolutions.**Mr. Cumming.***The Hon'ble Mr. Cumming** said :—

"Your Excellency, it is no easy task to portray in proper perspective the lights and shades of this complicated problem ; and therefore I must crave the indulgence of the Council while I sketch at some length the main factors in the problem, and indicate the direction in which, and the extent to which, a solution is possible. There is, I am afraid, some ignorance, and if I may say so, also some prejudice on the subject. Almost all the Hon'ble Members who have spoken to-day have practically forgotten that the British Empire has been involved in a colossal war. It is a problem, because the rise in the price of foodstuffs and the necessities of life generally has been the subject of serious solicitude on the part of the Provincial Governments in India and of the Imperial Government ; and further it is complicated, because there are so many factors, some fairly obvious, some not so obvious, some almost intangible, which govern the problem.

At the outset, I should like to say that Government are far from insensible, as has been suggested in certain quarters—though the Hon'ble Rai Radha Charan Pal Bahadur was anxious not to associate himself with the sentiment—to the serious effect which this great rise in the price of the main staple, namely, rice in this province has had on the poorer classes generally and on those of the middle classes on small fixed incomes. Indeed, I should like to take this opportunity of expressing, on behalf of the Government of Bengal, an appreciation of the patience and philosophy with which this serious invasion in the domestic economy of the people has been faced.

In the second place, I should like to premise that Government fully realise the importance which members of this Council assign to the necessity of appealing to Government to do everything possible to alleviate preventible suffering ; and to-day no fewer than four resolutions have been tabled for the purpose of the discussion of measures for that end. The remarks of my Hon'ble colleague, Sir Henry Wheeler, at the discussion in February last have already been repeated and I need not recapitulate them. Suffice it to say that after the discussion in February last in this Council there has undoubtedly been a further increase, both sudden and serious, which cannot but result in hardship all over the province. The mean provincial rate has become higher than at any time during the war. There was also a public discussion in the Calcutta Corporation, with which Hon'ble members are fully acquainted, and as the result of which the Bengal Government were requested to address the Government of India on the difficulties of the present situation as regards the price of rice and other foodstuffs and to suggest the need of taking measures whereby the existing prices might be reduced by such means as might be devised under the circumstances. Before, however, receipt of this resolution of the Corporation, the Government of Bengal had already taken action for the purpose of representing the position in this province and for the purpose of obtaining some amelioration by the reductions in exports and by the increase in imports, which by the way forms the subject matter of the fourth of these resolutions. The Government of India, I am glad to say, met the Bengal Government in this matter, as was publicly stated in a *communiqué* which was issued on the 14th June. It so happened that shortly before that, the Government of India had issued another *communiqué* regarding another subject, namely, the export of grains from India generally to foreign countries : and there was a discussion in the Press not only on these two *communiqués* but on the reply of the Bengal Government to the Corporation. Possibly there has been some misapprehension in the minds of the public as to the exact purport of these various announcements.

These four resolutions refer to rice and other necessities of life and to cloth : but the most important element is the increase in the price of rice. It is the question of the day. I shall confine my remarks therefore to this subject. There is too great a tendency to consider the problem as a purely local problem. I shall explain, to the best of my ability, the various factors

*Resolutions.**Mr. Cumming.*

which govern the situation. There are no fewer than three main categories: *first*, universal, that is to say, world-wide factors; *secondly*, all-India factors; and *thirdly*, provincial or Bengal factors.

First of all, we may consider universal factors. I fully agree with the Hon'ble Mover of the resolution that it is no consolation to tell the people who have to pay more for their food that there are such; but it would be foolish to ignore them. It was emphasised by Sir Henry Wheeler in February last that increase in price was not solely a provincial matter, nor even an all-India question. This was also emphasised in reply to a question at the meeting of the 27th March 1919. It was then said that many factors were involved, including supplies, monsoon and labour conditions, freight and tonnage. Now these factors were obviously more than local and concerned the world generally. It requires more time than I have at my disposal to deal adequately with all possible world-wide causes; but there are two which are obvious and outside the control of this Government. There is in the first place the amount of shipping available in the world; and secondly, the existence of credit currency throughout the world. As regards the former, the tonnage of the British Empire is one-fifth less than it was at the outbreak of war; while much of it is still absorbed in purposes connected with the war and foreign to the ordinary course of trade in which it would be otherwise engaged. As regards the latter, a leading professor of political economy has stated publicly that the cause of the general and rapid rise of prices is the immense creation of credit currency in all the principal countries of the world through the measures taken to finance the war, now happily at an end. It may be shortly stated that the paper currency of all the belligerent countries has been increased nearly six-fold, and has been principally employed to pay for articles of an unproductive nature. Here, in India, as calculated by the professor, the increase in the circulation of currency notes has been 135 per cent.; and the increase in the number of rupees in circulation has been 33 per cent. and if the two be taken together, the total circulation in India has increased by 53 per cent. India has been in a peculiar position during this great war. India became the cheapest source for many raw materials, while imports fell off for various obvious reasons, and the result was an enormous balance of trade in favour of India. In order to meet this enormous increase, recourse had to be had to a similar enormous expansion of paper currency. Here then we have in the inflation of currency a worldwide cause for the increase of prices, affecting the whole of India with the rest of the world. I place on the table a comparative statement showing the rise of prices of foodstuffs in all the important countries in the world.

Statement of percentages of rise in the prices of articles of food in different countries.

Countries.	Percentage rise since July, 1914.
Sweden ... ..	... 234 (February, 1919).
Norway ... ..	... 175 (December, 1918).
Vienna ... ..	... 173 (August, 1917).
Portugal (Lisbon) ... ..	... 151 (May, 1918).
Italy (Rome) ... ..	... 149 (November, 1918).
France (Paris) ... ..	... 148 (January, 1919).
Switzerland (since June, 1914) ... ..	... 139 (March, 1919).
Berlin ... ..	... 111 (November, 1916).
United Kingdom ... ..	... 107 (1st May, 1919).
Holland ... ..	... 103 (December, 1918).
Denmark ... ..	... 86 (January, 1919).
Canada ... ..	... 81 (February, 1919).
United States ... ..	... 69 (February, 1919).
New Zealand ... ..	... 45 (January, 1919).
South Africa (Cape Town) ... ..	... 42 (November, 1918).
Australia (Commonwealth) ... ..	... 35 (December, 1918).
India (unweighted) ... ..	... 57 (End of April, 1919).

*Resolutions.**Mr. Cumming.*

I am indebted for this to the courtesy of the Director of Statistics with the Government of India. This I leave to Hon'ble members to study for themselves. The rise in India is the least in the world with the exception of South Africa and Australasia, while the rise of prices of food in Great Britain has been nearly double that in India. These are two very significant facts to be deduced from these figures. It is not my province on the present occasion to deal with the suggestions that have been made to correct the situation, whether in the nature of export duties or alteration of the rate of exchange. All I wish to maintain before this Council is that there are very serious limitations to the power of the Local Government in dealing with causes acting outside its borders.

Turning now to the second category of factors, viz., the all-India factors, we find that they centre round the monsoon conditions of the last two or three years. It is known that there was an extensive and premature cessation of last monsoon in September last; and the rice crop of India and Burma was consequently 34 per cent. less than that of the previous year, while in addition to that there was a failure of other food crops. We find that five districts in the United Provinces, four districts in the Bombay Presidency, two districts in the Central Provinces, one district in the Madras Presidency and one in Bengal are under regular famine relief; while in many other districts throughout India in which scarcity conditions prevail, assistance is being given of various kinds. In areas in which there is only one winter crop, no relief can be expected until next cold weather; while in the other districts in which a spring or autumn crop is reaped, the alleviation will not be such as to bring about instant relief. Let us hope that through Providence there will be a good monsoon this year. In our own province, the prospects of the *aus* or autumn paddy crop are on the whole fair. There are however tracts in India in which, but for outside assistance from other provinces more fortunately situated, the people would starve; for it is not only a matter of giving the people money wherewithal to purchase food, but it is also necessary to provide food for them to purchase. We have on the western edge of Bengal, the province of Bihar and Orissa, in which the failure of the winter crop was very much more severe than in Bengal; the crop was only half of the previous year; and, unless the people of Bihar receive foodstuffs from without, their position will be critical. On the other side, we have Assam; and the Assam Administration has recently proposed to make a working arrangement with this Government regarding the conditions under which supplies from Assam may enter Bengal. That province is also in a difficult situation, though its prices are lower than in Bengal; and it is relevant to note, when the suggestion is offered, that Bengal should refuse to export to other provinces, that Assam too is apprehensive as to the quantities of paddy which Bengal is taking from it. Again, rice is not the only food-grain, and for other food-grains Bengal is largely dependent on outside, namely, from the up-country districts. If Bengal were to be permitted to adopt the policy of the absolute prohibition of export outside its limits, it is obvious that other provinces would speedily seek to retaliate. Suppose we stopped the export of rice to Bombay, Bombay might easily refuse to give us any cotton. What would Hon'ble Members then say?

In November last year, an attempt was made to obtain an approximation of the extent to which the different provinces of India were deficit or surplus provinces. From that examination, one factor stood forth that, notwithstanding the bad harvest of 1918-19, Bengal and Burma would have to be considered as surplus provinces. Hon'ble Members of Council are aware that a Foodstuffs Commissioner for all-India was appointed in October last year. His control covers wheat, rice and gram. His representatives are the Directors of Civil Supplies in all the provinces. As stated in the recent *communiqué* of the Bengal Government the general principle which is being adopted is that supplies of rice are being directed from the provinces in which stocks are

*Resolutions.**Mr. Cumming.*

still available to those provinces in which, but for outside help, actual shortage of food is feared. This, therefore, must be remembered that the problem of food and of prices is an all-India problem which must be dealt with, if at all, by means of central control. It should not be overlooked that even as regards prices, generally speaking, Bengal is not so badly off as Bihar, the United Provinces, the Central Provinces or Bombay, that is to say, the price in the dearest district in Bengal is still less than that in the dearest district in any of these four provinces.

Another consideration in connection with all-India factors is the amount of Indian foodstuffs exported out of the whole country. It is not true, as is alleged, that there has been a recent increase. On that point, the actual facts as recently stated by the Government of India—though the Hon'ble Babu Surendra Nath Ray refuses to accept this statement—may be repeated, namely, that since December last all exports of food supplies are prohibited except under license, and then only in respect of shipment to certain countries with a considerable Indian population which in the past have depended on India as the nearest source of supply. I shall deal with the matter of exports in greater detail when discussing local, that is to say, Bengal factors, which I shall now proceed to do. Moreover, the absolute total shows a great decrease: in April 1919 the total export was one-fifth of that in April 1918.

In the case of Bengal, it should be re-emphasised that the world-wide and all-India factors still hold good; but there are obviously other factors of local importance. The first is regarding the actual monsoon conditions of the last two years. In 1917, the monsoon was favourable and it resulted in one of the finest rice crops in Bengal on record. This has been of inestimable advantage in compensating for the failure of the following year. The cheap rice of 1917 was of great assistance to the poorer classes who live on their earnings; but obviously it was of corresponding disadvantage to the agriculturists who received less money for their produce. Then followed 1918, when, as I have stated, Bengal participated in the precipitate failure of the monsoon. The final forecast of the rice crop of 1918-19 was 72 per cent. that is to say hardly three-fourths of the normal crop, and at the nearest approximation may be taken as 19 crores of maunds. In November 1918 orders were issued to ascertain by means of a census what was the stock of rice available in the province, including unhusked paddy which was converted into rice at the rate of 62½ per cent. That census gave Government some material; but as it was the first of its kind, difficulties were encountered and some of the district estimates were patently incorrect. They showed for instance in one district that it had not enough for a week's consumption; and, as that district is not yet starving, there was an obviously something wrong somewhere, either on the part of the dealers who furnished the information or in the subsequent collation of the figures. A further census was ordered at the end of May last to be taken on the 15th June. The figures are at present under scrutiny; but as far as they have been examined they give reasonable grounds for holding that there is not yet a provincial shortage in Bengal. Now, it is not true, as has been asserted, that in Bengal in normal years there is a deficit. There is a considerable, though not a very great, surplus in normal years.

Further local factors are exports from and imports into the province. Now the Bengal Government have by means of a continuous close survey over all the relevant features of a constantly changing situation kept the Government of India regularly informed; but have recognised that the Government of India were in a much better position to judge of the respective needs of all the provinces than the local Governments. When the time seemed ripe, a representation was made to the Government of India regarding the allotments for exports of rice from Bengal, both to other provinces in India and overseas

*Resolutions.**Mr. Cumming.*

and regarding the imports from Burma. As a result of this representation, the Government of India have reviewed the situation and have materially decreased the monthly allotment made for exports of rice by rail to other provinces. An allotment of Burma rice was made to Bengal *via* Calcutta, while arrangements were made for the import of rice from Akyab in Burma to Chittagong in Eastern Bengal for the use of Eastern Bengal and Assam. The general effect of the control of supplies has been the stabilising of prices; and, indeed, the Bengal Government have always realised that there was a better chance of stabilisation if there was a sufficient fluidity in the movement of stocks whether inside or outside the province. The advent of the monsoon, the census of stocks and the recent reductions in exports have tended to check the rise in prices. In this week's crop report, Hon'ble Members will find it stated that the average price of common rice is now showing a slight tendency to fall. At the same time, one must never lose sight of the fact that supplies alone are not the ultimate cause of the prices now prevailing, although obviously they are a factor of great importance.

Before passing on from this head and dealing with other measures of relief within the province that have been either adopted or suggested, I should like to controvert certain allegations that have been made as to the prevailing factors. First of all, it has been alleged that the rice crop in Burma this year was a bumper one. This unfortunately is not true. Far from it being a bumper crop, the average outturn of the whole province was 88 per cent. of the normal, as against 95 per cent. in the previous year; and the surplus available for export was less than 2 million tons of clean rice. This is the surplus for which the greater part of India has been clamouring.

The next allegation is that there has been an improper diversion from Bengal of rice to foreign countries by sea. It is true that there has been an increase in export by sea to Madras since January last, but this has been to feed Indian fellow subjects in another province. As this was sea-export, it was not covered by the licenses issued regarding railway transport. These unlicensed exports by sea are however being brought under control. But, as regards exports to other countries overseas, the most important recipient is Ceylon, which usually obtains its rice from the southern districts of Madras; but at present that Presidency is not in a position to supply its own requirements, still less to meet those of others. Even in Ceylon, notwithstanding this assistance, the shortage of rice is creating an anxious situation. After that, the exports from Bengal are to colonies of Indians in Natal, Mauritius, the Red Sea and the West Indies; the volume of these exports has been carefully rationed; and the grand total in 1918-19 was less than half of what the normal annual export to such foreign countries was before the war. It is not true, as has been alleged, that Bengal is improperly diverting its food-stuffs for purposes other than human consumption. I mention this because there have been several assertions to the contrary, and indeed there has been a ridiculous rumour in the Mymensingh district that 6 crores of maunds of rice have been sent to Europe for the manufacture of alcohol.

A further allegation has been made that no Burma rice has been allowed to be consumed in Bengal. It is not quite clear what inference is sought to be drawn from this allegation. It is not unreasonable to imagine that the innuendo is that Bengal is being unfairly treated. Now, it is quite correct that there are imports of rice from Rangoon into Calcutta which are reserved for other provinces. These allotments have, however, been made after careful consideration. It is, however, incorrect to allege that no Burma rice has come into Bengal for purely Bengal consumption. On the contrary, there has been a steady increase in imports from Akyab into Chittagong. The total in February was double that of January; in April three-fold that of January and in May fourteen-fold that of January. The question of

*Resolutions.**Mr. Cumming.*

further imports into Chittagong from other ports in Burma is also under consideration.

There are other allegations which have been made which, if I had time, I should be glad to refute; but let it suffice on the present occasion to deal with these three instances of inaccuracy.

Let us now consider, in view of these factors, universal, all-India and local, what Government should endeavour to do to maintain prices so far as these are governed by supply. It is the accepted duty of Government to protect the people within the limit of their capacity. In India, there is not only an acceptance of official control but a desire for the same. If that be conceded, then what policy should Government adopt? There are practically only two alternatives—one alternative is to allow one province to starve and another province to continue in tolerable comfort; and the other alternative is to make the best use of the food available for the greatest good of the greatest number. However some people may write or think about stopping all exports from Bengal, I do not believe that any person who is aware of the facts and has examined them with any sense of responsibility would hesitate for a moment between the two alternatives. It is the second alternative which the Government of Bengal have deliberately adopted, and the Bengal Government have, as far as possible, while safeguarding the interests of the province, been loyal to the policy of the Supreme Government.

There are however certain devices which have been suggested in addition to an equitable division of the supplies available. The one which is mentioned first of all by some advisers is the fixation of prices for the different kinds of rice. It sounds so easy, and yet it is so supremely difficult to enforce, unless the source of supply is also subject to control. Now, this is the case in the matter of Burma rice imported into Calcutta under license. The supply is subject to control and such rice can only be sold subject to certain maximum wholesale rates; otherwise, the importers will not be allowed to get ships to bring the rice here; and steps have also been taken to regularise the retail rates. In this manner, one of the proposals about the control of Burma rice made this morning has been met. On the other hand, the case of Bengal rice is entirely different; chiefly because it is really impracticable to control the source of supply. Indeed, I may say that, whatever success may have been achieved elsewhere in small areas with specific articles of food, both the Local Government and the Government of India are satisfied that the fixing of prices for all kinds of food stuffs in Bengal, even if resort were had to the rules under the Defence of India Act, is not practical politics.

Another device (and it is a measure of self-help which the Bengal Government welcome, just as the Bombay Government have done lately, and would gladly see extended up to the limit to which Government can obtain an allotment of Burma rice for Bengal) is one which has been adopted in other provinces, namely, that local bodies, such as District Boards and Municipalities, should obtain supplies of the cheaper Burma rice, and thereby cause grain to be sold in what are known as cheap grain shops. The Director of Civil Supplies has been in consultation with the District Officers regarding the requirements of different bodies. So far only a few local bodies have asked to be supplied with comparatively small amounts.

Furthermore, in the city of Calcutta, this method has been adopted by the Corporation; and six shops for the sale of Burma rice were opened on the 17th June. The daily sales have averaged the comparatively small total of 72 maunds; but it must be noted that all the shop expenses are borne by the merchants who forego all profit.

*Resolutions.**Mr. Cumming.*

The Darjeeling Planters have acted co-operatively and obtained, on behalf of their large immigrant coolie population, an allotment from the Director of Civil Supplies of Burma rice. The Hon'ble Mr. Irwin did not draw the attention of the Council to this fact. But, as regards the incident to which he did draw attention, it is a matter under the jurisdiction of the Bihar and Orissa Government which deals with the district of Purneah where this incident took place. The Collector of Bankura, where famine has been declared, procured an allotment for his district. It is urged that Burma rice should still be freely imported into Bengal. It is, however, a significant fact that, when there is, as there is at present, a considerable supply of Burma rice in Calcutta, no one in Bengal is prepared to take it up in any appreciable quantity because the demand is so weak. The reason why Bengal rice-eaters have an objection to consuming Burma rice is known better to the Indian members of this Council than to one who is not an Indian by race.

The Foodstuffs Commissioner, at the special request of this Government, has been endeavouring to meet a point which was raised this morning, namely, to prevent the artificial inflation of the price of Bengal rice through unnecessary competition amongst upcountry buyers from other provinces.

Then, as regards the question of freight from Rangoon, about which comments have been made in the Press, there have been already two reductions since the freight was first fixed, the last being an equivalent of 2 annas per maund on the cost price landed in Bengal; and indeed the Rangoon-Calcutta freights compare very favourably with the rates at present prevailing throughout the world.

Finally, in order to meet to some extent the increased cost of living, Government have increased the emoluments of the lower-paid among its own servants; both in the case of menials, and, as stated in a *communiqué* issued within the last few days, in the case of Government servants of the lower ranks.

These, then, are various forms of action which have been taken, or are being taken, to check the rise in the price of rice and to alleviate distress.

The present position appears to be that there is still a supply of rice in Bengal sufficient to carry on until the next harvest, even after giving reasonable support to the less favoured provinces. Moreover, the high prices are not altogether an unmixed evil; for some portion of the increase has been received by the agriculturists; and later reports show that the agriculturists are alive to this advantage in disposing of their stocks at their appreciated prices. That being so, I would ask the people not to give way to panic; but, on the other hand, it stands to reason that Government will not tolerate in special circumstances like the present anything like deliberate holding up of supplies for the purpose of cornering the market; and the officers of Government will not hesitate to take action if such instances are disclosed. Both in the city of Bombay and in certain districts of Bihar and Orissa, powers have been taken under Ordinance IX of 1914 to seize stocks.

I have left to the last the suggestion of the Hon'ble Rai Radha Charan Pal Bahadur that a Committee of officials and non-officials be appointed to consider the remedial measures already taken or in contemplation by Government, and to devise what further steps, if any, should be taken to alleviate the present distress. I notice with surprise that only one Hon'ble Member wholeheartedly supported this motion. The Hon'ble mover no doubt thinks that his proposal would allay public feeling in the matter. I can say personally that I am always accessible to any member of the public in this matter and prepared to discuss matters and receive suggestions. But I venture to suggest to the Hon'ble Member that as long as the present organisation under

*Resolutions.**Rai R. C. Pal Bahadur.*

the Foodstuffs Commissioner exists, it is not possible to act otherwise than through those officers who are his representatives in the provinces, namely, the Directors of Civil Supplies. That being so, I also suggest to the Members of the Council that there is little that a committee of the nature proposed could ascertain in the way of facts beyond the salient facts which I have endeavoured to describe. As regards policy, it is, as I have stated, a matter for the Imperial Government; but I also say deliberately that the local Director of Civil Supplies is, in his capacity as executant of that policy, at present in close touch with the importing and distributing agencies of the trade.

This, My Lord, is the attitude of Government. They are not insensible to the sufferings of their lieges, and appreciate the seriousness of the situation. They are not omnipotent, but they have taken and will continue to take such action as lies within the power of a provincial Government to deal with the situation, so many of the ingredients of which are entirely beyond their control. In the circumstances, Government are not prepared to accept the first resolution; but on the definite understanding that the action of Government is limited by the various extra-provincial factors which I have endeavoured to narrate and also by the execution of the policy of the Government of India the Local Government will accept the second, third and fourth resolutions.

My Lord, I have finished. I apologise for having taken so much time of this Council, but the fact that no fewer than four resolutions were the subject of reply is my excuse."

[The Council was at this stage adjourned for lunch.]

[The Council re-assembled after lunch.]

The Hon'ble Rai Radha Charan Pal Bahadur said :—

"I am much obliged to the Hon'ble Member for his giving so much valuable information on the subject. That the subject is agitating the public mind is evidenced from the fact that a number of resolutions on the same question appear in the agenda paper and therefore the reply that has been given to us and the information that has been supplied to us will be very interesting to the public at large.

I will confine myself to the resolution which I have moved. My Lord, I do not know whether I have made myself perfectly clear. I recognise that Government are in their own way doing everything that they possibly could do under the circumstances, but there is an impression abroad and it is confirmed by the observations made here by some of the Members of the Council that more might be done in this direction and that the various suggestions which are made by the outside public from time to time should be more fully considered by Government. My object in moving for an advisory committee is not to hamper the Government or to restrict their action in any way, but as I said to establish a sort of common ground where the public might meet the Government and exchange their views on the subject. It will be purely an advisory committee and if the suggestion seems to be practicable I think the Government may very well consider whether it harmonises with the principle laid down by the Government of India and, if necessary, to address the Government of India on the subject for the modification of their instructions. It is with this view that my resolution has been moved. The Hon'ble Member has said that he is always accessible and that anybody may approach him and speak to him on the subject. We all know that the Government from the Governor downwards is accessible to the public, but that is not the point. What I want is that Government should discuss this subject with the representatives of the public. Discussion by an individual officer with an individual member of the public is quite a different thing. Various suggestions have been

*Resolutions.**Rai R. C. Pal Bahadur.*

made by the various members of the Council, but I venture to think that it will shorten discussion if we have a sort of a committee appointed to discuss the whole matter with Government. Otherwise I am afraid that other suggestions will be made in other meetings of Council and the discussion will never cease, whereas if a committee is appointed the work will be much better done and the various suggestions could be considered. The Hon'ble Mr. Cumming has referred to several points to one or two of which I shall make a reference. It has been stated that we are better off here than the people in the other parts of the world and that we are importing rice from another province, namely, Burma. At a Corporation debate it was stated that the freight from Burma is still very high and it can conveniently be reduced. If this is done, rice will be sold at a much cheaper rate than it is sold now. Moreover it is not understood why Burma rice should be selling somewhere between Rs. 6-8 and Rs. 7 in Calcutta whereas it is selling at Rs. 5-11 in Bombay. There is another point in regard to this which I should like to mention and which has already been mentioned in *Capital*. At present the entire carrying business from Rangoon to India is done by the British India Steam Navigation Company. No other company is allowed to do the carrying except the Nippon Yusen Kaisha which is so allowed because it has connection with the British India Steam Navigation Company. This Company alone should not be allowed to make good war losses at the expense of the Indian poor. If other companies were allowed it would perhaps have the effect of lowering the freight and with it the price of rice. I have been specially asked by a mercantile gentleman of Bombay to draw the attention of the Council to it. Something should be done in regard to it. I quite recognise the force of the point that if we stop exports the other provinces might also follow suit. That is not of course the policy which has hitherto been followed. When Madras wanted rice we gave them and when Bengal wanted rice Burma supplied. What I mean is this—why export rice to places where there are no Indian population and where it is not wanted for the purpose of food. Why send rice to Sweden where there is no colony of Indians? Why export rice to other places where it is used for the manufacture of alcohol, etc.? Government are in possession of more facts than we are, and it is for this purpose that we want an informal discussion in a committee. There is a growing volume of public opinion about the matter and that is why I have suggested the formation of an advisory committee, which is not, I may say, my own suggestion, but a suggestion made by a European member in the Corporation."

Resolution No. 15 was then put and lost.

The following three resolutions standing in the names of the Hon'ble Babu Surendra Nath Ray, the Hon'ble Maulvi Abul Kasem and the Hon'ble Maulvi A. K. Fazl-ul-Haq, respectively, were then put and agreed to:—

"This Council recommends to the Governor in Council that early steps be taken by the Government for the reduction of the high prices of rice and other necessary articles of food, and also of cloth, in Bengal."

"This Council recommends to the Governor in Council that in view of the fact that there is a scarcity of food grains in the Burdwan division and that the prices of foodstuffs and other necessary commodities of life have risen abnormally high, steps be taken for the relief of the distress of the people, particularly of the poorer classes in rural areas."

"This Council recommends to the Governor in Council that measures be taken at once by the Government to bring down the prices of rice and other necessities of life to normal rates, either by controlling exports or facilitating imports, or by such other means as may appear to the Government to be fit and proper."

*Resolutions.**Babu S. N. Ray***LIST OF BUSINESS—ITEM No. 19.**

The Hon'ble Babu Surendra Nath Ray moved the following resolution :—

“This Council recommends to the Governor in Council that the Government be pleased to take up the question of the improvement of the pay and prospects and terms and conditions of service of the Subordinate Civil (Executive) Service in Bengal as early as may be practicable.”

He said :—

“I am certain nobody knows better than the Government of the good work efficiently done by the members of the Subordinate Civil Service inasmuch as these public servants work direct under what I may term the executive Government of the country. Formerly the members of this service were generally recruited from those who were not successful in securing a place among those who were successful in the competitive examination for the Provincial Executive Service. For some time past, however, the matter of recruitment for the service has quite changed and we now have the same sort of test for both the services, only those who are in a position to canvass hard can enter the Provincial Executive Services whereas those who are not in a position to do so have to rest satisfied with appointment in the Subordinate Civil Service. It not unfrequently happens that better qualified men are nominated by Government for the Subordinate Civil Service.

I need hardly say that in education, social position and other qualifications they are now not inferior to those who are fortunate enough to be nominated for the other service. Formerly the test before and after appointment was not the same. Now they have to undergo the same examination before and after appointment and have to perform almost the same work whether as Judicial or as Revenue officers. I know a sub-deputy collector as land acquisition deputy collector had to do the same work as a deputy collector on a pay of Rs. 700 or 800. I need hardly say that the distinction between the two services is at the present moment only as regards their pay and prospects. A sub-deputy collector reaches his first grade of Rs. 250 ordinarily in 15 or 16 years at least, that is, when he passes his 40th year and is considered not legible for promotion. The age limit bars the way to further promotion. Even when he is promoted to the Provincial Service his prospects do not generally appreciably improve, the pay of the 1st grade sub-deputy collectors being Rs. 250, the pay of the last grade of deputy collectors is Rs. 250. A first grade sub-deputy collector when he is appointed in the Provincial Service becomes a probationary deputy collector and is put at the bottom of the list of probationary officers. It takes a good long time for him to rise to the grade of Rs. 300. There are very few who can hope to rise to the grade of Rs. 400.

As a result of keeping the two services separate Government have been obliged to take recourse to certain anomalous procedure. Take for instance, a sub-deputy collector is liable to be dismissed even without any formal judicial or departmental enquiry. A sub-deputy collector is even not a gazetted officer. This fact affects a sub-deputy collector in regard to his travelling, halting and other allowances as well as his leave and pension. But he has all the same to perform all the duties of a gazetted officer.

I need hardly say and it is a well known fact that the pay of sub-deputy collectors is quite inadequate. A police inspector begins with a pay of Rs. 150, an excise inspector on Rs. 125. They get special rate of travelling allowance, whereas these hardworked officers of Government have to begin with a pay of Rs. 100.

*Resolutions.**Maulvi Abul Kasem.*

It is unnecessary for me to quote at length the large number of opinions given on this service by some of the distinguished members of the Indian Civil Service. The Hon'ble Mr. Stephenson stated before the Public Services Commission: 'The class of men who enters the Subordinate Service differs very little from the Provincial Service recruits.' Sir William Duke said 'I admit the officers appointed in recent years have very often been of much the same class as those who entered the Provincial Service.'

The Public Services Commission did not consider the Subordinate Service as it was not within the scope of their enquiry. They however recommended that members 'of services recruited from the ordinary graduate class' should start on an initial pay of Rs. 250 which in 15 years would rise to Rs. 450 by triennial increments of Rs. 40 after which it would rise to Rs. 500 by a triennial increment of Rs. 50 beyond which there would be selection grades and this is the words of one of the members of the Commission 'should be regulated as the minimum which shall be granted'. In the Report on the Indian Constitutional Reforms we find the following recommendation:—

'Again a number of grades do not now receive provincial status although their officers are recruited on uniform qualifications for the whole province and may be liable for service in any part of the province. From this point of view, such classes as the naib tahsildar (the same as sub-deputy collectors), the sub-assistant surgeon, and the like, may be conveniently placed *ad hoc* in the provincial division.'

I understand recently a representation has been submitted to Your Lordship's Government by some sub-deputy collectors. I need hardly say that the representation will be duly considered on its merits. For my part I think it is time that the Provincial Executive Service and the Subordinate Executive Service should be amalgamated. The Government should at least generously consider the position of these worthy officers whose claims are in no way inferior to the higher public servants. When they perform the same duties as those who enjoy higher emoluments it is but just, reasonable and proper that the Government should as regards pay and prospects treat them with the same even hand it has always distinguished the British Government in their treatment of those who serve the public cause with heart and soul."

The Hon'ble Maulvi Abul Kasem said:—

"My Lord, I am sorry that I cannot support the resolution which has just been moved by my friend the Hon'ble Babu Surendra Nath Ray, not because I do not sympathise with the sub-deputy collectors who are a set of hard-worked officers; but the reason why I oppose this resolution is that the time is not opportune to consider the question of the pay and prospects of the Subordinate Service individually as a class only, because great administrative changes are imminent and the question of the pay and prospects of the various services will be considered. There are other classes of public servants of the same category as the sub-deputy collectors, I mean the excise inspectors and other subordinate officers of Government. If any class of public servants require any amelioration in their condition, in my humble opinion it is the ministerial officers of the Collectors' and Magistrates' offices and of the District Courts in the mofussil, who are so ill paid that they find it extremely difficult to make their both ends meet. When the whole matter of public services will be considered as a general question, it is not fair to say that the question of the pay and prospects of sub-deputy collectors should be taken up separately. I agree however with the hon'ble mover that, as the sub-deputy collectors do the same class of work as deputy collectors, there should be only one class of officers, but as long as they are in the Subordinate Service their case should be taken up together with

Resolutions.

Babu K. M. Chaudhhuri ; Rai M. C. Mitra Bahadur ; Mr. Kerr.

that of other services. In my humble opinion, however, the case of the ministerial officers should be taken up before the case of the Subordinate Service is taken up."

The Hon'ble Babu Kishori Mohan Chaudhuri said :—

"My Lord, I do not understand why this resolution is opposed by my friend, the Hon'ble Maulvi Abul Kasem. It is a very anomalous thing that, although these officers are made to do the same kind of work, there should be any distinction between the two services. The lowness of pay has a very demoralising effect upon the service. The sub-deputy collectors on Rs. 100 have to maintain the dignity of a *hakim* ; and it can be easily imagined that it is an utter impossibility. In point of education, social status, and departmental examination, there is no distinction ; but distinction is only in the pay and prospects. They begin on Rs. 100 and rise up to Rs. 250 ; and that is very inadequate in view of the fact that they are made to do the same kind of work as the deputy collectors who begin with an initial pay of Rs. 250. It is urged by my friend the Hon'ble Maulvi Abul Kasem, that the distinction should be abolished and that there should be the same scale of pay and the same prospects ; but as long as they are in the Subordinate Service their case should not be considered separately. I fail to understand the sequence of their observation. But I heartily support the resolution and urge that the question should be taken up as early as possible. I may submit that before the Public Services Commission, several members of the Indian Civil Service urged that there should not be any distinction between the two services and that there should be the same kind of pay and prospects for the Subordinate and Provincial Services as a whole. That is a very reasonable view, and when the case of other services, or rather the case of persons for whom there is not so much urgency is considered, I do not see any reason why the case of these hard-working officers should not be taken up as early as possible. With these observations, I join in supporting this resolution."

The Hon'ble Rai Mahendra Chandra Mitra Bahadur said :—

"My Lord, I beg to support this resolution. At the last Dacca session, the matter was the subject-matter of discussion ; and I do not like to trouble the Council by repeating the arguments which I then advanced. In educational qualifications and in responsibility, the sub-deputy collectors are of the same status as the Deputy Collectors and I cannot persuade myself as to why there should be any difference between these two classes. My humble submission to the Council is that the Provincial Service and the Subordinate Services should be amalgamated into one."

The Hon'ble Mr. Kerr said :—

"My Lord, all that this resolution asks us to do is to take up, as early as may be practicable, the question of the improvement of the pay and prospects and terms and conditions of service of the Subordinate Civil Service. That Government is quite prepared to undertake to do ; and, indeed, as I shall show, quite apart from this resolution, action of this kind will in any case be forced upon us at an early date. I should have been very glad this hot afternoon if I could sit down after merely undertaking to accept the resolution on behalf of Government, but in the course of the discussion to-day and in the representations which have been referred to in this discussion, certain claims have been put forward on behalf of the Subordinate Civil Service. I might call them extravagant claims ; at any rate, they are claims which Government could not accept without qualification. It would only

*Resolutions.**Mr. Kerr.*

give rise to false hopes, if I passed these claims by without saying anything about them, and I will, therefore, give as briefly as possible, a history of the service and an account of the functions which it is called upon to perform.

The Subordinate Civil Service was created in 1873 in order to perform revenue and executive work which had previously been done expensively and not always efficiently by temporary establishments. Its members were to be employed mainly on out-door duties in the interior of the districts as executive agents to help District and Subdivisional Officers in administering the various departments under their charge. It was laid down that they should only be vested sparingly with magisterial powers. In 1892, nearly 20 years later in Sir Charles Elliot's time, the position was reconsidered. It was found that, owing to force of circumstances and the exigencies of the administration, it had been necessary to vest these officers with minor magisterial powers, that is the powers of Magistrates of the second and third class, and it was decided that it was good policy to utilise these officers on magisterial work of this kind. It was decided that they should constitute a class similar in powers and responsibility to deputy collectors but inferior in dignity. Then, in 1902, when a reorganisation of the service took place, a further statement was made. It was said that in subdivisions sub-deputy collectors were wanted to relieve the Subdivisional Officers of treasury and office routine, petty cases and local enquiries. They had come to be regarded to a great extent as second officers in subdivisions, and their employment in a heavy subdivision did much to stave off the necessity of stationing there a second officer of the superior service. These remarks are still true to-day except for some slight development in the matter of magisterial powers which has taken place during the last 8 or 9 years. In 1911, Government decided to vest a limited number of sub-deputy collectors with first class powers, who from their standing and ability were likely to be promoted within two or three years to the rank of deputy collectors. In 1916, owing to the absence on war service of a number of the members of the Indian Civil Service and also of the Provincial Service, Government agreed to relax these restrictions temporarily, and vested a limited number of sub-deputy collectors with first class powers, who had exercised second class powers for some time and had shown themselves thoroughly fit for higher powers. This is a very brief and condensed account of the history of the service, but it serves to explain the nature of the duties on which Government decided to employ these officers and on which they are still employed. I have only to add that in the early days of the service, sub-deputy collectors like deputy collectors, were recruited mainly by competitive examination. In 1905, this examination was abolished, and the possession of an University degree was made an indispensable qualification for both services. Since 1892 sub-deputy collectors have had to pass the same departmental examination as the deputy collectors. It must, therefore, be admitted that the claim made to-day and elsewhere that these officers are very much of the same class, and are drawn from the same rank of society and possess the same educational qualifications as deputy collectors, has some force. The other claim, however, that these officers are employed on similar duties cannot be accepted without very considerable qualification. Even if it could, there is one general consideration which must not be overlooked. We have to look to the practical aspect of the case. It does not seem to me that the fact that we can get for the Subordinate Service officers of the same rank, of the same social standing and possessing the same educational qualifications as deputy collectors can be accepted as a conclusive argument for levelling up the lower service to the same standard of pay and prospects as the higher. It might equally well be argued that the pay of the superior service is unnecessarily high; and from the purely economic point of view of supply and demand, there is no doubt that such a view could be theoretically justified in this province. There are four main services in this

*Resolutions.**Mr. Kerr.*

province for which the graduate qualification is prescribed, namely, the Provincial Executive Service, the Provincial Police Service, the Excise Department and the Subordinate Civil Service; of these, the Subordinate Civil Service, I need hardly say, is the least well-paid. For all these four services, there are about 30 to 40 posts to fill up every year; and we have about 400 to 500 candidates asking for posts in these services. During the last four years it has been my business to go through the papers of these young men, and I have interviewed most of them personally; I have no hesitation in saying that the great majority of them would be quite willing to take the Subordinate Service if they could get nothing better. They are in fact willing to take service in posts offering much worse prospects than even the Subordinate Service. Amongst the settlement kanungos, who are temporary employes, with no pensionary prospects, nearly half at present consist of graduates, and the proportion of graduates is rising. In the Subordinate Police Service during the last three years, on an average, more than 50 graduates have been appointed each year to posts as sub-inspectors of police. I quite realise that the economic consideration is not the only one which has to be taken into account. Government cannot afford to employ sweated labour in the public service, particularly in the higher ranks. But, at the same time, the economic consideration is an important one and cannot be disregarded. Facts being as they are, so long as we can get a plentiful supply of qualified candidates for posts as sub-deputy collectors on the existing terms, some regard must be paid to the ever increasing calls on the provincial finances in dealing with demands for increase of pay.

I now turn to the old argument which has been used that the work of the Subordinate Service and the Provincial Service is practically identical, and in regard to this a few hard facts will be more useful than any general argument. At the present moment, our present cadre of sub-deputy collectors consists of 221 officers, excluding the probationers who were recruited the other day to fill posts as circle officers. Out of these 221 officers, there are 95 employed on general duty; and of these 33 are employed at district headquarters and 62 at subdivisions. The 33 employed at headquarters include some 26 officers who are vested with first class magisterial powers under the orders issued in 1916, which I have already mentioned, and I admit that these officers do very much the same work as the ordinary deputy collectors at headquarters; but the position with regard to the 62 officers in subdivisions is very different; they are definitely in a position of subordination to the Subdivisional Officer who is usually a deputy collector or a young civilian; the Subdivisional Officer disposes of all the important work leaving only minor cases for his sub-deputy collector. The sub-deputy collector is usually also employed on sub-treasury and routine work and performs minor and miscellaneous functions. Out of these 95 officers, 62 are therefore employed definitely on work which is of an inferior and less responsible nature than that of the ordinary deputy collector. Then, we have 46 officers employed on settlement work. It was my good fortune to serve in the Settlement Department myself for nearly 7 years, and I should be the last person to under-rate the value of the good work which sub-deputy collectors do in the Settlement Department. I learnt the elements of settlement work myself from a sub-deputy collector. At the same time, even in the Settlement Department, these sub-deputy collectors are not employed on superior posts of supervision and control which are held by deputy collectors and junior civilians. Then, again, there are the 22 sub-deputy collectors employed in Government and Wards Estates, and speaking generally they are employed in the smaller and less important estates while the more important and bigger estates are held by deputy collectors and other officers. Forty of the existing sub-deputy collectors are employed as circle officers; these are new posts in which deputy collectors are never employed, and I do not expect they ever

*Resolutions.**Mr. Kerr.*

will be employed. In this connection, it is important to note that we have recently received sanction to recruit 234 more sub-deputy collectors who will eventually be employed as circle officers under the Village Self-Government Act which was passed in the Council the other day. I say, therefore, that in existing circumstances the number of sub-deputy collectors who are employed on work which could be described as in any way approaching in importance and responsibility to that of deputy collectors is very small, probably not more than 30 or 40 out of the existing cadre of sub-deputy collectors, and it will be a much smaller proportion when the 200 new circle officers' posts are added.

The Hon'ble Babu Surendra Nath Roy said a good deal about the disabilities of sub-deputy collectors. I admit that they are in the matter of pay not on the same footing as the deputy collectors, but I think the Hon'ble Member went beyond the mark in suggesting—and I think he did—that sub-deputy collectors are liable to be dismissed without enquiry; that is most emphatically not the case. A sub-deputy collector cannot be dismissed except under the orders of Government, and under the rules which apply to all officers a full enquiry must be made and charges framed and the officer afforded the fullest opportunity of explaining his case before any punishment can be inflicted on him. So far as that particular disability is concerned, I think the Council will agree that there is not very much in it.

As I have stated, on financial and practical grounds, I cannot hold out any hopes that the Provincial and Subordinate Services will be amalgamated but as I began by saying, Government are perfectly prepared to do what the resolution asks and to take into consideration the improvement of the pay and prospects of the Subordinate Service. The question of promotion from the Subordinate Service to the Provincial Service is already under the consideration of Government in connection with the resolution which we issued about the Provincial Service on the 25th March last. The replies to that resolution have come in and the case will shortly be submitted to Government. That is one matter which will be taken up almost immediately. The next point is that the increase in the cadre of sub-deputy collectors, owing to the creation of the new posts of circle officers, will necessitate an examination of the whole grading of the Subordinate Service; if we recruit a considerable number of these officers in the next 5 or 7 years there will be a hopeless block in promotion unless we alter the grading. Personally I am inclined to think that a time scale will be needed, but that is a matter which Government has not yet considered. A third point is a question, which has been kept pending for some time till after the end of the war and the report of the Public Services Commission regarding the adequacy of the existing cadre of the Provincial Service for the work it has been doing. During the war, the cadre of the Provincial Civil Service was quite inadequate, and the mere fact that so many sub-deputy collectors had to be vested with first class powers is a sufficient proof of that. Whether the cadre will be adequate when normal conditions are restored, is a matter on which I should hesitate to express an opinion at present. At any rate, the matter has got to be examined, and this examination may suggest some means of differentiating between the Provincial and Subordinate Services on more satisfactory lines than exist at present. Government are therefore prepared to take this question of the Subordinate Service into consideration; but I must warn the Council that it is impossible to promise any definite date at present. The case must wait until the case of the Provincial Service is decided, and the Hon'ble Maulvi Abul Kasem has pointed out some other difficulties which will also require consideration in this connection. It must therefore be clearly understood that Government reserve a free hand as to the changes which will be adopted and the time when they will be adopted. Subject to these remarks, Government are prepared to accept the resolution."

*Resolutions.**Babu S. N. Ray ; Maulvi A. K. Fazl-ul-Haq.***The Hon'ble Babu Surendra Nath Ray** said :—

"My Lord, I have to say a few words because from the tenour of the Hon'ble Mr. Kerr's reply I find that Government are prepared to accept partially my resolution.

My friend, the Hon'ble Maulvi Abul Kasem has said that the time is not opportune for moving this resolution : but I think that this is exactly the time when I ought to bring forward this resolution, because the Government is now considering the question of improving the pay and prospects of the Judicial Service, the pay and prospects of the Police Service and of other services.

From the observations of the Hon'ble Mr. Kerr, it appears that he admits that the members of the Subordinate Service possess the same educational qualifications and are drawn from the same status of society. It has been said that recruitment to this service is regulated by the law of supply and demand. That is so. It has also been said in considering the pay and prospects of the members of the Subordinate Civil Service we must also take into consideration the economic aspect of the case which cannot be disregarded. But I think Government should also take into consideration the fact as mentioned by my Hon'ble friend, Babu Kishori Mohan Chaudhuri, that the lowness of pay has a demoralising effect. If you give a man good pay of course he is sure to work with contentment and you will get very good work from him. But if a man be really a competent man and has got the same educational qualifications as the others he naturally aspires to have the same status in the service as his brother officers. Government should also take into consideration that the cost of living has increased immensely of late and that a gentleman who could well afford to live on Rs. 100 a month cannot now live on less than Rs. 150 a month at least. So it is time that Government should consider all these matters and the sooner the claims of the members of the Subordinate Civil Service are considered by Your Excellency's Government the better."

The motion was then put and agreed to.

LIST OF BUSINESS—ITEM No. 20.**The Hon'ble Maulvi A. K. Fazl-ul-Haq** moved the following resolution :—

"This Council recommends to the Governor in Council that the Police Courts in Calcutta be located in one and the same building in some central part in the city."

He said :—

"My Lord, this is the second occasion on which I have ventured to bring forward this proposal for the location of the Police Courts in one central part and building in the city. On the last occasion I was assured by Mr. Lyon speaking on behalf of Government that this system of holding the Police Courts in different parts of the city was more or less of an experimental character and that Government must abide by the result of that experiment. Four years have elapsed since then and we do not find any indication on the part of Government to state the result of the experiment as to whether it has been successful or otherwise. So far as the public are concerned I can assure Your Excellency's Government that there is still the same feeling of dissatisfaction with the arrangement as it existed in 1913-14 when I first moved my resolution. My Lord, this practice of holding the Police Courts in some central part of the city is almost as old as the institution of Courts of Justice in this country. The system worked very well till, as far as I can make out, a move was made in the year 1845 to split up the jurisdiction of Police Magistrates in the city by dividing the area under the jurisdiction of

*Resolutions.**Maulvi A. K. Fazl-ul-Haq.*

the Magistrates but at the same time allowing the Magistrates to sit in one and the same building. Later on in the time of Mr. Weston an attempt was made to introduce a more centralised system, but this was condemned by the two Judges of the Calcutta High Court who were deputed to inspect the Police Courts and to report the measures to be taken in order to improve their efficiency. So far as the public can make out no action was taken on the report of the Judges of the Calcutta High Court till the year 1913 when the Lalbazar Police building was wanted by the Commissioner of Police for his purposes. It was then in January 1914 that the Police Court was split up into three Courts located in three different parts of the city—one at Jorabagan, one at Bankshall Street and the other at Kyd Street. It was not claimed at first that it was anything more than an experiment and it is necessary therefore to see in what way the system has worked. My submission is that the experiment has proved a failure. The first point that I put forward for the consideration of this Council is the enormous cost that has been incurred in carrying on the experiment. There have been recurring and non-recurring charges and amongst the non-recurring charges I might mention the additions and alterations that have been made to the various buildings, electric fittings, sanitary plumbing works, furniture and equipment for the new courts. As regards the recurring charges, there has also been considerable increase. The ministerial and menial staff have been largely increased; the police establishments attached to the Courts have been highly augmented; the Public Prosecutor and his staff has also been strengthened. The contingent expenses have increased enormously; the rates and taxes, hot weather charges, office expenses, telephonic charges, not to mention numerous other charges inseparable from the paraphernalia of a Court establishment have all increased to a considerable degree. I have not got the exact figures, but I think they would run up to several lakhs. The next point for consideration is—has all this expenditure been justified? Has it produced any benefit to the public? There is a sort of widespread notion that it is better to bring justice, if possible, nearer to the homes of the people as if by that means one could give the people any relief. Experience however has shown that with the splitting up of the Police Courts litigation has not decreased and I do not exaggerate matters that the partition of Police Courts has only led to an enormous increase of litigation. In the first place the litigant public have had to face the fact that the pleaders have reasonably or unreasonably increased their fees. Formerly when all the Courts were located in one building of Lalbazar whenever a man had a business to be conducted in the Police Court he would select his pleader out of hundred and odd pleaders; the field of selection has now been considerably narrowed in each Court and naturally therefore the pleaders who have got to earn their income by doing a far less amount of work have raised their fees and the clients have to submit to their terms. Secondly, a pleader who ordinarily practises at Jorabagan charges an abnormally high fee if he has to go to Bankshall Street and *vice versa*. As regards the transaction of business I submit that a good deal of inconvenience is being caused by the existing system of the Police Courts. Whenever a Magistrate takes cognizance of a case he cannot transfer it to a subordinate Magistrate because he is not empowered by the Code to do so and he has got to submit the case to the Chief Presidency Magistrate of Bankshall Street. This entails a certain amount of delay. Several cases have to be kept back daily and adjourned on account of the prosecuting officers, witnesses, pleaders and others being engaged in another Court. This also causes a great deal of inconvenience. Therefore, my Lord, neither is the present arrangement convenient to the public nor does it accelerate the despatch of business.

Then the question is whether the present arrangement has had any good effect on the supervision of the Court by the Chief Presidency Magistrate. I

*Resolutions.**Maulvi Abul Kasem.*

submit that it has not. I still maintain that with the partition there has been an ineffective supervision of the subordinate Courts by the Chief Presidency Magistrate. Formerly the Chief Presidency Magistrate kept a daily watch on the files of the cases and exercised a certain amount of control over the Magistrates subordinate to him. Now he has practically lost touch with the Magistrates (stipendiary and honorary) in the Northern Division Court. A flying visit once a month or even less to the Northern Division Court is certainly not effective supervision. In the interests of efficiency it is highly desirable that the other Presidency Magistrates should be under the close administrative supervision of the Chief Presidency Magistrate at Bankshall Street.

The next point, my Lord, which I submit for the consideration of this Council is this: that on account of the unequal distribution of work it happens that one Magistrate in Jorabagan, for instance, finds time hanging heavy on him while another has to work up to 5 to 6 p.m. And I myself have seen certain other Magistrates leave the Court at 3 in the afternoon. This is due to unequal distribution of work. All these prove my statement that the experiment has not proved successful, on the contrary it has proved a failure. Therefore, I think that Government should now redeem their pledge and there ought to be a reversal of the present system. As regards the distribution of work I shall quote the following observation which I have taken the liberty to collect from an unofficial report:—

‘The Jorabagan Court is within a stone's throw from the First Division Port Police, yet all cases arising within its jurisdiction are tried at Bankshall Street. A *dinghi manji* arrested at Bichali Ghat, Bagh Bazar, is taken all the way to Bankshall Street although the Jorabagan Court is far nearer. All motor-car cases arising in any part of Calcutta are now heard in the Bankshall Street Court. What is the good of having a partition of the courts, if cases arising within the jurisdiction of one are tried in another.

In several matters (*e.g.*, the Press Act, the Extradition Act and so forth) the Chief Presidency Magistrate exercises exclusive jurisdiction, and the people of the Northern Division have, in consequence, to go to the Jorabagan Court for one purpose and to Bankshall Street Court for another purpose. This double-court arrangement leads neither to the convenience of the public nor to a prompt despatch of business nor to the efficiency of the court.’

Therefore I submit that the time has come when the Police Courts should be located in one and the same building and that the present system be done away with.

With these words I commend the resolution for the acceptance of the House.”

The Hon'ble Maulvi Abul Kasem said—

My Lord, it is my misfortune this time to oppose my Hon'ble friend Maulvi Fazl-ul-Haq. He has ably advocated the cause which he has taken up, and those interested are very fortunate in having one of the ablest men in the province for their spokesman. But I am sorry that in spite of his eloquence I am still unconvinced that the facts justify his proposal. He says that the experiment has proved a failure and that a city like Calcutta, which has grown very much in recent years, all the Police Courts should be located in one and the same place. I believe that in other Presidency towns the Police Courts are located in different quarters and no complaint has been heard about that arrangement. And so far as I know I do not think there is much dissatisfaction in Calcutta either. But of course there is dissatisfaction among

*Resolutions.**Maharajadhiraja Bahadur of Burdwan.*

the members of the legal profession practising in the Police Courts. It would be very convenient to them to have all the courts in one and the same building. My Hon'ble friend has said that owing to the pleaders being distributed between the two courts, the litigants have to pay higher fees. But so far as I know the race of pleaders is so prolific that the supply is always greater than the demand. Therefore that argument does not hold good. In such a case the result will be that a particular set of pleaders will get all the cases and the others will have to starve. My friend has also stated that a good deal of inconvenience is felt by the witnesses in going from one court to another. Why should they go from one court to another unless they are professional set of witnesses? It is not usual for a case to be partly tried at Jorabagan and partly at Bankshall Street. My Hon'ble friend has cited the case of a *dinghi manjhi*. But that sort of thing might be remedied and that remedy does not lie in the placing of all the Police Courts in one building. A good deal has been made out of the fact that there was only one court in those days. That was certainly the case. But my Hon'ble friend forgets that in those days there were only two stipendiary Magistrates and a limited number of Honorary Magistrates. But since then the work has grown up in geometrical proportion and there are now four stipendiary Magistrates and a large number of Honorary Magistrates. And certainly it is necessary therefore that the buildings should be separate. It has been said that litigants find it inconvenient and expensive to find lawyers of their choice. In the mofussil, too, lawyers from Calcutta are appointed to conduct cases by the parties. And if that argument holds good, then all the courts in the Presidency should be brought into one place. If the courts are brought into one place litigation will increase and the number of touts will increase also, and the people will be robbed not only by touts but by others as well. So far as I have been able to ascertain, the public do not desire it, but members of the legal profession practising in the Police Courts and specially those who are at the top of the profession. And they have found a very able advocate to plead their cause in the Council. With these words, my Lord, I oppose the resolution."

The Hon'ble Maharajadhiraja Bahadur of Burdwan said :—

"My Lord, the Hon'ble Maulvi Fazl-ul-Haq has once more brought up the question of putting all the Police Courts in Calcutta in a central place and in one building. The resolution is not a new matter and has, if I may say so, an interesting history. In December 1915 the same Hon'ble Member moved a similar and almost identical resolution which was opposed by Government and the resolution was lost. As the members of this Council are aware, up to the end of 1913 the Calcutta Police Courts were located at Lalbazar. It had long been recognised that the accommodation at Lalbazar was both inadequate and inconvenient and after a good deal of discussion three courts were established and called the suburban, the central and the northern courts. When the Hon'ble Member moved his resolution in December, 1915, on behalf of Government it was stated by the Hon'ble Mr. Lyon that the Kyd Street Court was about to be abolished as there was not sufficient work for it at the time. This was given effect to from the 25th April, 1916. Since that time there have been two police courts—one located at Bankshall Street and the other at Jorabagan. At first the Chief and the Fourth Magistrates used to sit at Bankshall Street and the Second and Third Magistrates at Jorabagan, each court having in addition a number of Honorary Magistrates. In the beginning of 1918 however this arrangement was slightly altered and in the rules published under section 21 (1) of the Code of Criminal Procedure it was definitely laid down that the Chief and the Second Magistrates should ordinarily sit at the southern and northern courts respectively, the other Magistrates being assigned to these courts in such a

*Resolutions.**Maharajadhiraja Bahadur of Burdwan.*

manner as the Chief Presidency Magistrate may think fit. In actual practice at present the Chief and the Third Magistrates sit at Bankshall Street and the Second and the Fourth at Jorabagan. The arguments which the Hon'ble Maulvi put forward in favour of his resolution in 1915 were that the courts at Lalbazar were split up and located at different places to meet some urgent requirements of the police and the physical congestion was a secondary consideration—an argument which did not merit serious consideration at the time and does not do so at the present moment, for as everybody is sufficiently aware, the accommodation at Lalbazar was anything but satisfactory not only to the Magistrates but also to the pleaders, witnesses and parties and in fact to everybody concerned. Since then new buildings at Lalbazar have been put up for the use of the Calcutta Police. Here I may mention that it was not true that the Lalbazar building was abandoned for the police—purely for putting up new buildings, for the police but it was done so because the Bankshall building came back to us from the Government of India and we thought it economical to use it as a Police Court. So that side of the question should not be lost sight of. The second argument then put forward by the Hon'ble Maulvi has no longer any force as the Kyd Street Court has been abolished for over three years. The third argument then put forward by the Hon'ble Maulvi was that the courts being at a distance from one another, the Chief Presidency Magistrate could not exercise proper supervision—a charge which he has brought against Government again to-day. Literally this may be true, but it does not necessarily follow that for that reason the work of supervision has been slackened because it must be remembered that the Second Presidency Magistrate has been entrusted with a considerable amount of work which the Chief Presidency Magistrate used to do in the trial of cases and therefore the latter is able to devote more time to the supervision work. I shall, however in connection with this look into the question which the Hon'ble Maulvi has brought forward to-day about the division of labour or about the question that all cases have got to go to the Chief Presidency Magistrate who delegates his powers and distributes the cases. If of course any better arrangement can be made in regard to the disposal of such cases, I can assure the Hon'ble Member that that will be looked into. I find therefore that the Hon'ble Maulvi has more or less gone over his trodden ground of 1915. He asks very naturally that as Mr. Lyon in reply to his resolution said that this was going to be an experimental measure, for some indication as to the policy of Government regarding these courts. On this point I shall have to say something later on. Meanwhile of course he has also brought against us the charge and he has said that not only the non-recurring charges have been heavy but recurring charges have gone up. Well, I think it must be apparent to every member here that if we are to have more than one court there must be necessarily an increase both in the recurring and non-recurring charges. The arguments that litigants cannot have lawyers of their choice except at a higher cost regarding which the Hon'ble Maulvi Abul Kasem has spoken very strongly, all I can say is that this argument cannot possibly carry the same force to-day as it did in 1915, for in the first place the courts have been split up for more than five years. Then again it can be argued with a good deal of justification that as the number of pleaders and lawyers in Calcutta are by no means inadequate, it may reasonably be expected that a sufficient number of competent lawyers have now gathered round the southern courts if, in spite of this fact, litigants occasionally want to take lawyers from the Bankshall Street court and have to pay extra expenses, then, in the words of the Hon'ble Mover, they must pay for that luxury. I am afraid it cannot be helped, for I am sure such cases cannot be many and are rather more than counterbalanced by the fact that in a large number of cases the litigants are benefited by the disposal of their cases much nearer their homes—a thing which evidently however does not appeal to my friend the Hon'ble Maulvi Fazl-ul-Haq and sometimes perhaps even without

*Resolutions.**Maharajadhiraja Bahadur of Burdwan.*

the assistance of lawyers practising at the local court. Moreover I shall soon give the figures of the number of cases tried by these two courts from which I am firmly convinced that it would be by far the wisest course to leave things as they are at present, and I am sure that matters will completely adjust themselves in the course of a few years, for there cannot be the slightest doubt that the system in vogue is a considerable improvement on the old system of one central court. So far as the litigants are concerned, however, I am sure nobody will argue that it would be more convenient for the inhabitants of the northern portion of the city to come to Lalbazar or Bankshall or some such place instead of going to Jorabagan. The only strong argument, therefore, in favour of centralisation of all the courts at one place is that it will foster the growth of a strong Bar, but, my Lord, I venture to think that the Bar of Calcutta is more than strong and that it does not need any such further strengthening if that were possible by the centralisation of the Police Courts in one building. Then, my Lord, the questions of buildings and building sites in Calcutta even for the Government is by no means an easy one. Already the Bankshall Street building has been condemned and the Government has got seriously to consider as to where the southern court can be temporarily located until a new building is completed. Perhaps my friend will bring forward this as an argument in favour of having one central court and may say that as the Government has to erect a new building why not huddle them all together. To this my reply would be that apart from the question whether such a course would be economical or not we have got to see the convenience of the litigants themselves and from the figures which I shall soon give it will be apparent that it would be a great injustice to the litigants if Government were again to decide upon a central building with all the courts concentrated in it. In 1915 it was stated on behalf of Government that the arrangements then in force were experimental. At that time it was fully proved that the northern court was a success, and from the figures which I have in my hand I can say that the southern court has also been success. Therefore, it seems to me that the time has perhaps come when on behalf of Government I should definitely state what the policy of Government is in this matter.

In the first place there is nothing to show that the present arrangement are not working satisfactorily. Apart from the consideration of accommodation and perhaps the convenience of certain members of the Bar, it is a distinct advantage to bring justice nearer the people, for if against this argument of mine it were adduced that more the courts the more the litigants as has been done this morning by the Hon'ble Maulvi Fazl-ul-Haq, my reply is that human nature being what it is, litigation will go on and will continue to exist whether there is one court or more. Now, my Lord, let me give some figures which will show that although the work of the northern court may not be equal to that of the southern court, there has been a steady growth of work in the southern court from 1915-17, though there was some falling off again last year but the decrease in the northern area was perceptibly less than in the southern. The number of serious cases in the northern area was much higher than that in the southern area except in 1915. In short, the figures to my mind are a conclusive proof that the object in view in having a new court in the northern area has been attained and that the work done in that area has justified its existence. In the years 1917 and 1918, the total number of cases in the northern court was 37,934 and 32,561, respectively. The total number for that period in the southern court was 45,836 and 35,616. If, therefore, there is a reversion to the central system it would mean that the parties and witnesses in all these cases would have to make a journey to Bankshall Street instead of having their cases tried in their own neighbourhood. It would also involve backward and forward journeys for the police officers

*Resolutions.**Maulvi A. K. Fazl-ul-Haq.*

between the Jorabagan and the central court, thus meaning considerable inconvenience as well as waste of public money.

Then, again, from the financial aspect it would be extremely difficult to find a suitable site for a large Central Police Court, the cost of acquiring land for such a building being in itself enormous. But what I think is the most important of all to remember is that numerically the petty cases are really the most important, and the nearer to the homes of the parties these could be disposed of the better. And from this point of view quite an arguable case for greater decentralisation could be made out instead of the plea to return to the old system of centralisation for which to my mind there is no justification, either on the ground of convenience to the public or of economy of State funds.

Moreover, when two police districts were made for Calcutta—the north town and the south town—the division was so made that the jurisdiction of the Magistrates and of the executive police officers should coincide. From this point of view too, my Lord, there is no reason to disturb the present arrangement. Under all these circumstances, my Lord, I contend that the Government would not be justified in accepting the recommendation of the Hon'ble Mover of this resolution and I trust to the good sense of the Council to throw out the motion before us."

The Hon'ble Maulvi A. K. Fazl-ul Haq said :—

"My Lord, in view of the very full and exhaustive statement that has been made by the Hon'ble Member speaking on behalf of Government I would not have troubled this Council with any reply but for the fact that my friend, the Hon'ble Maulvi Abul Kasem, has made certain remarks which I cannot certainly pass without comment. He has sought to create a diversion this afternoon in favour of Government by offering opposition to two very popular resolutions simply, as I take it, for the sake of opposition itself. He has delivered two speeches; the first of which is, I may say with the utmost respect, of a more or less incoherent character, and the second couched in the language of vehemence. The second speech exemplifies, to my mind, the danger of a layman trying to dabble with matters of which he has got a hazy and vague idea.

To begin with, he has mentioned that in Bombay there are Police Courts located in different parts of the city. May I ask him what parallel can be drawn from the conditions of Bombay to those existing in Calcutta when we do not know that the Police Courts of Bombay were located in one and the same building previously, but was followed by subsequent divisions and located in different parts of the city; so that we may have some data for a comparison of the circumstances. As far as I know, the Bombay system can supply no data to judge whether the present system is better than that of having Police Courts in one and the same building in the city. Calcutta people can offer some opinion because they have been accustomed to two different conditions. My friend said that this resolution has been brought forward in the interests of the members of the legal profession. May I ask him what do the members of the legal profession lose if really the courts are split up into two or into 100 parts? The pleaders are put to some inconvenience by having to go from one court to another. Is he so simple as not to know that it is not the pleader but it is the client who has to pay for conveyance? I would like my friend's going to a pleader to engage him on professional business and taking him from his ordinary place to another place, asking him to pay his own gharry hire: I would like to know whether it is the pleader or my friend who has to pay.

*Resolutions.**Maulvi A. K. Fazl-ul-Haq.*

Then, my Lord, he said that my statement about witnesses being engaged in one court but being required at another, cannot be accepted for the simple reason that the witnesses are not professional witnesses who can be required for examination at two different cases simultaneously. My friend does not know that there are two classes of witnesses; first I leave aside the professional witnesses, but amongst honest witnesses there are two classes: *first*, those who can depose as to facts and the other class called expert witnesses. There are, for instance, witnesses who are required to prove previous convictions, medical witnesses and so forth and they have got to appear in one case sometimes at Jorabagan and in another case at Bankshall Street: but this my friend does not know as he has no business with courts. My Lord, I say with the utmost respect because he does not belong to the class of witnesses, or as he has had not to appear as a witness or as complainant; he has not had the occasion to complain of or to infringe the law. Then, as regards pleaders raising their fees, a visit to Jorabagan or Bankshall Street will show whether they have or have not raised their fees. I have been told that, with the large influx of pleaders into courts every year and that great manufactory, the Calcutta University, turning out graduates in law every year, the supply is always going to outstrip the demand. Although hundreds and hundreds of the pleaders may be struggling for existence, those who have made their mark in the profession always dictate their own terms. There may be 200 enrolled, but those who have made their mark, *i.e.*, those whose services are sought after will always charge high, sometimes fancy, fees, although there may be a hundred who may be struggling for existence in these courts. So, the mere fact that there is a large influx every year does not, as a matter of fact, go to reduce the fees which are exacted by pleaders. I do not mean pleaders who are of no consequence to the profession but those who have made their mark as pleaders.

As regards the convenience of the litigants, my own idea is that it is inconvenient to the litigants to have the courts located in different parts of the city; but if Government have made an enquiry and are satisfied that the present arrangement is to the convenience of the litigants, I have got absolutely nothing to say. But I feel convinced that the greater the number of courts the greater is the advantage to members of the profession to which I have the honour to belong. I would like to see courts spring up in every conceivable quarter of Calcutta so that the members of my profession may spread themselves out conveniently, because I know that as soon as a court is started the number of cases go up. The experience of the last five years show that the number of cases in the two courts is very much higher than what it was and the rate of increase is very high; but if, in spite of this, Government think that it is for the convenience of litigants that the courts should be situated in different parts of the city, I have got nothing to say.

As regards the financial aspects that it has been convenient to locate the courts in one big building my idea is that the Bankshall Street building which has been condemned as a very old building might be dismantled and out of the surplus which we get from the receipts of the Police Courts spread over a number of years a very big building might be erected: that is a matter entirely for the Government to consider. I do still hope that the time will come when the Government of its own motion will decide that a reversion to the old state of things is for the convenience of the public; and although I have doubts whether they will accept my proposal, I hope that all this discussion has not been in vain; and I have placed certain facts before the Government which, I hope, in future will be taken into consideration."

The motion was then put and lost.

*Resolutions.**Maulvi A. K. Fazl-ul-Haq.***LIST OF BUSINESS—ITEM No. 21.**

The Hon'ble Maulvi A. K. Fazl-ul-Haq also moved the following resolution :—

"This Council recommends to the Governor in Council that the permission granted to the medical practitioners who failed in one or two subjects in the Final Licentiate Examination of the State Medical Faculty in November, 1916, to appear at the same examination to be held in November, 1919, be extended to all those who were permitted under the transitory provision to appear at the said examination previously."

He said :—

"This is the fourth occasion on which a proposal has been made for concessions to a certain class of medical practitioners and I am afraid the Hon'ble Sir Henry Wheeler might think that we are inducing him in a moment of weak good nature to concede certain privileges to which ordinarily these people are not entitled. On the last occasion he told us that the path of concessions is always of slippery character and once we start going down the path we do not know where we come to. But there are certain considerations which might weigh with the Hon'ble Member with regard to the particular class of medical practitioners, and for these reasons I have ventured to bring forward this resolution. On the last occasion a similar resolution was moved by my friend the Hon'ble Khan Sahib Aman Ali, but that resolution was of a much wider scope than the present one as in my resolution I am asking for this concession for those medical practitioners who have been granted permission previously but could not get through the examination either because they failed in one or two subjects or could not appear at the examination for failure of getting timely notice. My Lord, so far as the first class of medical practitioner is concerned those who failed to pass the examination by only a narrow margin of marks I submit that in their case I cannot say anything except on purely humanitarian grounds. It has been ascertained that they are mostly men who work in distant places, in tea gardens and other estates and whose employers have given them notice to leave their services unless they can produce a certificate of pass. The Hon'ble Sir Henry Wheeler remarked on that occasion that it does not very much matter whether a medical practitioner gets a certificate or not because he can always practise as a private practitioner, and so long as he possesses a certificate it is enough to enable him to carry on the profession. It is well known, however, that a medical practitioner who possesses a certificate like the one for which we are contending for this class of practitioners always commands a much higher market value than the one who possess none and the latter want to improve their prospects by procuring this certificate. As regards the other class, that is, those who did not get timely notice, an enquiry will show that there were people who got notice very late and so late that they could not appear at the examination. Since one examination is going to be held it would be an act of mercy if they are allowed to appear at it. Let them take their chance : if they pass they get a certificate, and that is what they ask for but if they fail they have got themselves to blame. It is not a resolution for which I can say anything except the *argumentum ad hominem*, but I hope it is a case in which that mercy should be exercised. I believe, my Lord, there is a large volume of public opinion in favour of this resolution and I do not, therefore, wish to take more time of the Council. The matter has been discussed on three occasions already, and there is nothing new to say. All that I wish to say is that this resolution is of a simpler character than any of the resolutions that have been moved previously."

Resolutions.

Khan Sahib Aman Ali ; Babu K. M. Chaudhuri ; Sir Henry Wheeler.

The Hon'ble Khan Sahib Aman Ali said :—

"My Lord, in supporting this resolution, I will only say a few words because on the last occasion I spoke at some length on the necessity of having qualified doctors. It is an undeniable fact that this province is in urgent need of qualified doctors, and on account of want of doctors the people in every district are suffering from various diseases. If the proposal embodied in the resolution be accepted, it will in no way interfere with the prestige and finance of Government. It will be a favour to a large number of doctors who are not qualified under the law but who have studied medicine for five years at least. With these words, I beg to support the resolution."

The Hon'ble Babu Kishori Mohan Chaudhuri said :—

"My Lord, I do not wish to take up much time of the Council in supporting this resolution. It seems to be a reasonable request and that request is that those who were permitted to appear at the previous examination but for some reason or other could not appear, might be given another opportunity of qualifying themselves. I do not see that there is any objection to this proposal, and I hope that the concession will be granted. With these few words, I beg to support the resolution."

The Hon'ble Sir Henry Wheeler said :—

"My Lord, like the last resolution that has been moved by the Hon'ble Member, this is a matter which on more than one previous occasion has occupied the attention of the Council. There is therefore not much new that can be said about it, and I will be as brief as possible in my remarks. These resolutions have centred round the examination of the State Medical Faculty of Bengal. That was an examination instituted in connection with the legislation undertaken in Bengal for the registration of medical degrees, and the advantage of passing the Faculty Examination was that it conferred a registrable degree. The examination was meant for people who had undergone a specified training; but in recognition, primarily, of the position of those who were already in practice, a transitory clause was enacted which for two years after the constitution of the Faculty enabled men to go up for the examination who had not gone through the prescribed course of tuition. That period elapsed at the examination of November 1916. The object of all the different resolutions which have been moved in this connection from time to time has been, in various ways, to enable men to go up for that examination or obtain a registrable qualification, who would not otherwise be entitled to do so. This is the fourth resolution of the kind which has come up.

"In January 1918, the Hon'ble Babu Kishori Mohan Chaudhuri asked us to admit to the examination the Belgachia students of the year 1913 and those who failed for the first time in one or two subjects in the examination held in November 1916. Mr. Donald, on behalf of Government, opposed that motion; but the Council expressed an opinion in favour of it, and in consideration of that opinion, and also being desirous of meeting it to the extent which they thought legitimate, Government did allow the men who failed in one or two subjects at that examination, to go up—not only for one more examination as was originally asked for, but for four more examinations, and in fact there will still be an examination in November 1919 open to these men. Therefore, I would emphasise that we have already provided for the case of those who were originally permitted to appear but who failed in one or two subjects.

"The next occasion was September 1918, when we had the Hon'ble Babu Surendra Nath Ray's resolution asking us to recognise the Belgachia

*Resolutions.**Sir Henry Wheeler.*

Institution as one which could confer registrable degrees. I explained then why we could not accept his proposal, but the Council said that we ought to do so. On further examination, however, we were confirmed in the view that there was no possible justification for such a course, and we were therefore unable to accede to the request.

"In January last, the Hon'ble Khan Sahib Aman Ali asked us to admit to the examination of May 1919 all passed students of non-recognised medical schools. I explained then why we could not do so, and that proposal was lost without a division.

"Now, we are asked to admit to the next examination to be held in November all those who were previously permitted to appear under the transitory provisions but for one reason or another have hitherto failed to pass. Such men would seem to be, firstly, those who, having obtained permission, for one reason or another omitted to appear; their number seems to be very small, and I cannot see that they deserve much consideration. And secondly, those who, having appeared, failed to satisfy the examiners. But if they only failed in one or two subjects they can already go up again, so the resolution really presses the case only of those who failed in three or four subjects, it being remembered that the total number of subjects is only four, while under the ordinary regulations of the Faculty a man is not allowed to go up again if he has failed in three subjects or more. The number of men for whom we are asked to make this special concession seems to be 41 who failed in three subjects, and 49 who failed in four subjects, at the examination of November 1916, and we are asked to allow this special concession for men who after four chances have practically demonstrated that their knowledge of medical practice was of the slightest. I have been told by the examiners that some of the men who appeared had no more chance of passing any reasonable medical examination than a child in the street. That is what we are asked to do."

"I have previously explained what the object of our medical legislation was, and I do not want to re-traverse that ground. I would again emphasise that the discussions about it, originated in 1908, and the two relevant Bills only passed into law in 1914 in Bengal, and in 1916 in the Imperial Council. Therefore everybody had ample notice of what the position was going to be. The object of our law is merely this—to give a definite status to men who have a definite qualification, and to prevent men who have not that qualification from assuming that status. It is further to the advantage of the medical profession in the province that the standard of the Faculty Examination should be maintained. If we, out of good nature, allow men to go up for the examination who have not passed through a reasonable course of medical training, we derogate from the value of the status enjoyed by all those who have passed the examination. I would again emphasise that the status conferred by medical degrees is one dependent upon a reasonable medical training, and not upon the mere passing of an examination, especially if that is to be achieved after the fourth or fifth effort and after an exhibition of almost entire ignorance of the subject.

Why then, when the object of our legislation seems to be so palpably justified, is it that we have these persistent attempts to get us to admit men who are not qualified under the rules and concessions that we have given? The Hon'ble Maulvi Fazl-ul-Huq denies the charge, but I really cannot see that there is any more argument in favour of this course than that of weak good nature. When I spoke on the last occasion I went through in detail the concessions given under the transitory clause. I explained that we began with concessions; we extended them once, and we extended them again on the motion of the Hon'ble Babu Kishori Mohan Chaudhuri, and we have now arrived at the utmost limit that we thought was justifiable. We are now

*Resolutions.**Maulvi A. K. Fazl-ul-Haq ; Mr. Irwin.*

asked to do more than the Council was asked to do in 1918 and which we eventually accepted, although we did not think it justifiable. In asking us to do this now the Council is not altogether logical; that is to say, in January 1918 we were asked to do something which we did do: in July 1919, for no particular reason whatever, we are asked to go a great deal further, and it is difficult to answer the query, when are we to arrive at finality in this matter? Suppose we accept this resolution and allow those who failed in three or four subjects to go up again—what is going to happen? Most of them will fail; it is almost certain that they will fail. And then we will be told that these poor men have not had much time to prepare for the examination, that if they are given a little more time to brush up their knowledge, they will pass; and that they should therefore be allowed to go up again in 1920. The whole policy becomes one of endless weak concession. I maintain that the legislation has been reasonable in its initiation, it has been interpreted in a reasonable way, and it has been marked by concessions which were, if anything, generous, and on these grounds, Sir, we are not prepared to make this further extension which is now asked for."

The Hon'ble Maulvi A. K. Fazl-ul-Haq said :—

"My Lord, I have not got to add much to what I have already said because as I have said in moving this resolution that this question has been threshed out on three occasions. It has been said that most of the students who appeared or were permitted to appear at the previous examinations failed practically in all the subjects. If there are any such I cannot contend that their case deserves much sympathy, but there is the case of others who were given permission but could not at all appear by reason of the fact that they lived at distant places and could not get timely notice. So far as they are concerned I have submitted already and I again respectfully submit that their case deserves some consideration. At any rate the second class medical practitioners can be differentiated from the first class. The Hon'ble Member has put a query that if this concession is granted where are we going to stop. I do not know if any undertaking on my part will be of any practical effect, but I can assure him that if this resolution is accepted I do not think that Government will be troubled with any request of this character in future—very likely this will be the last. On three occasions we were met with unqualified negative and on this the fourth occasion our proposal may be accepted on the condition that we shall not come again with a similar request to Government. Of course it will not be *res judicata*, and the new Council will not be bound by what is happening in this Council. We can give this undertaking if the Hon'ble Member accepts the resolution. I have already said that I have not got a very strong case, but I leave it to the Hon'ble Member's mercy. It is a question which touches their livelihood and on this consideration they should be allowed to take their chance. I submit that a case has been made out for the acceptance of the Council."

The motion was then put and lost.

LIST OF BUSINESS—ITEM No. 22.

The Hon'ble Mr. Irwin moved the following resolution :—

"This Council recommends to the Governor in Council that a Committee be appointed, consisting of two officials and two non-officials, with instructions to make a thorough inquiry into the conditions existing at the Victoria and Dow Hill Schools at Kurseong, and to recommend such steps (if any) as may be deemed advisable in order to place both the schools on a more satisfactory basis."

*Resolutions.**Mr. Irwin.*

He said :—

“ My Lord, I am afraid this resolution will not arouse much interest as it does not personally affect the majority, nevertheless it is a serious one for a considerable community all over India.

It is a question, my Lord, which has occupied my attention for a long time past, as, according to reliable reports, the state of affairs in these two schools has steadily been going from bad to worse for some years, so much so that I consider it would be better to close them altogether unless a great improvement is effected ; at the same time I have been loath to worry Government unnecessarily and hoped that steps would have been taken to remedy matters.

At length hoping to draw the attention of the authorities to it with the least possible waste of time or undue emphasis, I asked a series of questions in this Council in April last.

As, however, the answers given to these questions were, in my opinion, unsatisfactory and as nothing was being done, as far as I could gather, to place the schools on a sounder footing, I felt constrained to take more decisive steps as indicated by the resolution I have quoted.

I may say at once that since giving notice of this resolution I have had a long discussion with the Acting Director of Public Instruction on the matter.

I gave him an outline of what I proposed to say at this meeting with the different items to which I wished to draw special attention, and I think I am correct in saying that he fully agreed with me that not only are the conditions existing at both schools unsatisfactory but that every item I mentioned required revision and reorganisation.

This admission has naturally simplified my task considerably and enabled me to curtail what I should have otherwise been constrained to say in support of my resolution, I shall therefore be as brief as I possibly can.

In the first place, I contend that both schools are and have been for years past, considerably understaffed, the consequence being that the teachers are overworked and the pupils do not receive the attention and tuition they and their parents have a right to expect ; moreover owing also to this fact, *i.e.*, the paucity of teachers, the Head Master or Mistress, respectively, is *obliged* to undertake duties, which should be relegated to a subordinate, greatly to the detriment of his or her legitimate work.

Again I allege that the staffs of both schools are very considerably underpaid for the duties expected of them. Several of the teachers after giving more than twenty of the best years of their lives in the service are at present drawing miserably inadequate salaries and have proportionately miserable pensions to look forward to when superannuated. I strongly urge that both salaries and pensions should be enhanced without delay, and as regards pensions I think, my Lord, that this enhancement should be retrospective from the date of the commencement of the War, owing to the heavy extra expense entailed by it. This may be unusual, but the whole circumstances are unusual and it would be only ordinary justice.

Then again I consider the constant changes which have occurred in the headships of both schools during the last few years cannot fail to be prejudicial and point to something radically wrong with the supreme administration.

Also the custom of keeping teachers in an acting capacity indefinitely, sometimes for years, as has occurred in several instances, at both schools is utterly wrong and highly detrimental. Can it be expected that teachers under these circumstances can take the same interest in their duties, as if they were on the permanent staff?

Finally as regards the allowances for board to the teachers and the feeding of the pupils, I contend that the amounts sanctioned are at the present time wholly inadequate.

*Resolutions.**Mr. Dunn.*

Some years ago an epidemic of beri-beri broke out in the Victoria School and an inquiry was held by the Sanitary Commissioner of Bengal.

After a searching investigation he traced the attack to the mal-nutrition of the patients and insisted on an increase in the monthly allowance, which, after considerable references to various authorities and discussion, was at length sanctioned.

That was in pre-war days and, as every one knows since then prices for almost everything has increased by from 50 per cent. to 100 per cent. and at present there seems little prospect of any decrease, I regret to say, I understand it is a fact that this extra allowance demanded by the Sanitary Commissioner, sanctioned at that time and drawn ever since, has just lately been withdrawn. I think this needs no comment.

I consider that the whole organisation of the administration of these schools is thoroughly unsound.

These are the only two Government schools existing in the Province for European and Anglo-Indian children and they are administered by the Educational Department on precisely similar lines to that adopted for Indian schools. I think I may say without giving offence to anyone, that owing to the varied customs and conditions prevalent amongst the different races, similar organisations are unsuitable and totally different systems should be adopted for Anglo-Indian and Indian schools respectively.

The control of these two schools should in my opinion be vested in a body of Governors similar to that of the St. Paul's School at Darjeeling and the Head Master or Mistress respectively should be similar.

As regards the Victoria and Dow Hill Schools I contend that the heads (Master and Mistress respectively) are not endowed with sufficient authority to deal with their subordinates. The Master or Mistress, as the case may be, discovers grave breaches of duty or abuse of power, but has no authority to deal adequately with the offenders as would be the case in a similar school in the United Kingdom, but has to refer the matter to an Inspector with headquarters several hundred miles away, and by the time the offence is investigated, by lapse of time, it has been almost condoned and the Head Master's or Mistress's authority undermined and set at naught.

—My Lord, I will not detain the Council longer. I trust I have said sufficient to justify my request for an inquiry and will therefore commend my resolution to the favourable consideration of Your Excellency's Government."

The Hon'ble Mr. Dunn said :—

"My Lord, the resolution which the Hon'ble Mr. Irwin has just put before us is one of great interest and importance. The schools to which he refers were founded some 20 years ago for the children of the subordinate officers in Government service—the children of the domiciled community. These schools are entirely run by Government and they are the only Government schools of their class in Bengal. For that reason alone, I think it is extremely desirable that we should be able to meet any criticism that may be raised in any discussion concerning their efficiency. Some weeks ago I had the opportunity of seeing both the institutions and I regret to say that in the main I must accept the detailed criticism which the Hon'ble Member has put before us. These schools are not as they should be. It is, I think, unnecessary for me to deal here in detail with the various points which the Hon'ble Member has raised. He has spoken of the understaffing of these institutions, the manner in which the Head Master and the Head Mistress are being overworked, the under-payment of the staff, the frequent changes on the staff, the meagre fooding allowances for the children and the inadequacy of accommodation in both the schools. These defects are almost entirely due to the fact that the Dow Hill and Victoria Schools have outgrown their

*Resolutions.**Mr. Irwin.*

original organization. They were founded, as I have already said, some 20 years ago. At that time they were schools of a very inferior grade—by that I mean inferior from the scholastic point of view. They have since developed into high schools of considerable importance, and I regret to say that they are still staffed by members of the Subordinate Educational Service—a service which does not admit of the adequate recruitment of Europeans for this peculiar kind of work. Now I feel it my duty to point out that the Education Department has for long been aware of the general position at Kurseong. I have gone into old papers and there are many documents dating from the year 1913. In 1913 the position was carefully described by the Hon'ble Mr. Hornell. In 1914 and 1915 the position was again described, the condition of affairs was carefully examined by the Hon'ble Mr. Lyon, and in the case of the Girls' School the institution was carefully inspected. In 1916 a lengthy and comprehensive report was submitted to the authorities on the general position of both the institutions. I need hardly point out that in the last few years the Education Department has scarcely been in a position to find money for any serious kind of reform and the recommendations made by the Hon'ble Mr. Hornell have been inevitably held up mainly for lack of funds. To remedy this state of affairs the Hon'ble Member suggests the formation of a committee consisting of two official and two non-official members. I would point out, however, that all such a committee can do is to re-examine facts which are already known and to put on record conditions which have been already described. Committees as a rule are very useful for much discussion and for the creation of more literature, but I can assure you, Sir, that literature connected with these two schools is already much too ponderous and extremely complicated. What we require is not a committee but action of a very definite and a very speedy character. I am glad to be able to report that up to date action of a certain kind has been taken. As a result of my own inspection held a few weeks ago in Kurseong I have been able to remind the administration of the reports already forwarded connected with these schools; and I am able to point out what are the greatest needs of these schools. The first and the greatest need is that the staff should be somewhat better paid and that the allowances sanctioned for the food supplies of children should be kept up to their original standard. As regards the first, proposals are already before the Financial Department and the Hon'ble Member, and I have reason to believe that these proposals will be sanctioned almost immediately. As regards the second—the food allowance—I am glad to be able to state to the Hon'ble Member that I have been able to establish these allowances on their original rates, and any further money required will receive very careful and very speedy consideration. As regards the next main step which must be taken, namely, the complete reorganisation of these institutions, this will involve nothing less than the abolition of the Subordinate Educational posts in the two schools and the creation of a number of posts on a graded and incremental pay. That question is under consideration and I hope in a few days all the necessary documents will be forwarded to the General Department. For these reasons I contend that no Committee of enquiry is necessary at this stage. All the facts are known: the lines on which we should proceed have not only been laid down, as I have already pointed out, but a certain amount of action on these lines has already been taken. I think therefore that the intention of the Hon'ble Member will be better realised if he leaves the matter now in the hands of the Education Department."

The Hon'ble Mr. Irwin said :—

"My Lord, I think the Hon'ble Member has made a slight mistake in saying that these schools were founded only 20 years ago. I believe I am right in saying that it is more than 30 years since they were founded."

*Resolutions.**Rai R. C. Pal Bahadur.*

With reference to the Committee asked for, the Hon'ble Member has said that these facts are already known ; from this I understand that they are also admitted. After hearing what the Acting Director of Public Instruction has said, I beg leave to withdraw my resolution as I have no wish to have it said that I have delayed reform or embarrassed Government. At the same time I must say that it is with some reluctance that I ask this permission, as what I may almost call, the scandalous state of things to which I have drawn attention has been prevalent for a long time past and I sincerely trust that Government will expedite the proposed improvements as much as possible and further that what I have said with reference to the feeding of the pupils and the enhancement of the salaries and pensions of the teachers, *with retrospective effect*, will have the careful consideration of the authorities, having in view the considerable increase of prices of all the necessaries of life which has taken place in the last few years."

The motion was then, by leave of the President, withdrawn.

LIST OF BUSINESS—ITEM No. 23.

The Hon'ble Rai Radha Charan Pal Bahadur moved the following resolution :—

"This Council recommends to the Governor in Council that in view of the Barabazar Improvement Schemes which are at present under consideration by the Calcutta Improvement Trust, a member of the Marwari community be appointed at an early date on the Board of Trustees for the improvement of Calcutta, and that the Marwari Association and the Marwari Chamber of Commerce be called upon to submit names of suitable persons for the consideration of the Government."

He said :—

"My Lord, the Calcutta Improvement Trust published their Barabazar scheme about two months ago. In Barabazar there is a large number of Marwari traders and there is a Marwari Chamber of Commerce, although like the Bengal Chamber of Commerce they have not the right to return a member either to the Corporation or to the Council or to the Improvement Trust. Government have kept the right of choosing members in their own hands for the protection of minorities. The Marwari community, taking the entire population of Calcutta, is in a minority, but having regard to the importance of the Barabazar improvement scheme and the Marwari interests affected thereby I think on the present occasion Government may assign one seat to the Marwari community. It may be said that Government have already filled up the four seats they had in their hands, but it is well known that when the exigencies of the situation require it, Government somehow or other manage to provide room. I think that having regard to the fact that Government have got at present four nominees on the Trust and have recently appointed as a member of the Trust an official who has at present no interest in the affairs of the Trust, Government might provide for one member for the time being to represent the Marwari community. It may be said that the Board has the power of co-opting members in connection with particular schemes ; but it is the practice to co-opt such members in the sub-committee and not on the Board. When objections are heard to any particular scheme members are co-opted from the localities concerned and some members of the Marwari community have no doubt been co-opted in connection with some schemes in the sub-committee. My Lord, it is not the sub-committee which is the final authority but it is the Board ; and the presence of a member of the Marwari community on the Board,

Resolutions.

Rai D. C. Ghose Bahadur, Maharajadhiraja Bahadur of Burdwan.

when the report of the sub-committee will come up before that body, will no doubt be a great help to the Board. I think therefore that Government might see their way to accept my motion. The late Sir Edward Baker at one time in reply to an address presented by the Marwari Association said that when the interests of that community were affected, Government would no doubt nominate a member on the Improvement Trust. The time has now come when the Barabazar scheme will be considered by the Board and I submit that Government might see their way to appoint a member of the Marwari community on the Board."

The Hon'ble Rai Debender Chunder Ghose Bahadur said :—

"My Lord, I rise to support the proposal put forward by my friend the Hon'ble Rai Radha Charan Pal Bahadur. It is a very modest proposal; structural improvements are contemplated on a very large scale in the areas around Barabazar and as my friend has said a large proportion of that area is peopled by Marwaris. Formerly these people hailing mostly from Rajputana had not given much evidence of education in Western knowledge; and Government never thought at least of appointing a member of this community on such civic bodies as the Corporation and the Improvement Trust, but of late the Marwaris are rapidly making up this deficiency, and this deficiency is also supplemented by their energy and business habits in acquiring money. They are now a very prosperous community; and it is right that they should be taken notice of and not eschewed. I think, therefore, that some room might be made as suggested by my friend the Mover of this resolution. As I gather from the tenour of this speech, when the Improvement Trust will extend their operations, as is contemplated, over the Barabazar area, it will be time enough to put on the Trust a gentleman interested in that area and I think some room might be made by asking the holder of a seat recently appointed to retire for some time. That is what I gather my friend's meaning to be; but whatever course Government might be pleased to adopt I think there should be some recognition of the interests of the Marwari community in the Barabazar scheme.

The Hon'ble the Maharajadhiraja Bahadur of Burdwan said :—

"My Lord, I can very well sympathise with the desire of the Marwari community to have from among them a member on the Improvement Trust when the Barabazar scheme comes up. But I must confess, my Lord, that the arguments put forward by the Hon'ble Mover of this resolution or the Hon'ble Rai Debender Chunder Ghose Bahadur who has followed him, have not convinced me of the necessity of putting a Marwari gentleman on the Board. It has been said by the Hon'ble Rai Radha Charan Pal Bahadur that it is a practice with Government that whenever any special measures come up experts are put in the Council. I do not know, my Lord, if in connection with the Barabazar scheme a Marwari gentleman of the locality interested in the scheme could be termed as an expert and for that purpose whether the mover of this resolution would be justified in asking the Government to remove one of the nominated members of the Trust in order to make room for a Marwari gentleman.

Then, my Lord, we have heard the Hon'ble Rai Debender Chunder Ghose Bahadur mentioning that the Marwari community is an influential body. I do not challenge this, but, my Lord, I thought yesterday when speaking on the motion for the withdrawal of the Municipal Bill both the Hon'ble Rai Radha Charan Pal Bahadur and Rai Debender Chunder Ghose Bahadur were advocates against special electorates and this is a question more or less of pleading for a special community on the Trust. I frankly admit I am unable to follow such contradictory arguments. My Lord, whilst I do not wish in any way to belittle the importance of the vested interest that the Marwari community have in Calcutta what I do feel, however, is this :

*Resolutions.**Rai R. C. Pal Bahadur.*

that the Government would not be justified for the reasons given by the Rai Bahadur to remove a nominated member from the Trust in order to make room for a Marwari gentleman. Under section 4 of the Act it is laid down that the Board shall consist of 11 trustees, viz., a Chairman, the Chairman of the Corporation, three other members of the Corporation, a member of the Bengal Chamber of Commerce, a member of the Bengal National Chamber of Commerce and four other persons; and these four are those that are nominated by the Government. As I have already said there is no vacancy at present; and according to the wording of the Act we cannot appoint 12 members. But when the Hon'ble Rai Radha Charan Pal Bahadur said that members could be co-opted only for sitting on the sub-committee, I think he must have overlooked section 19, which says that the Board may associate with themselves in such manner and for such period as may be prescribed by rules made under so and so any persons whose assistance they may desire in carrying out any of the provisions of the Act. So I think the best thing for him would be to get the Improvement Trust to appoint a Marwari gentleman to act as a co-opted member on the Board and not on the sub-committee so that the difficulty he apprehends could easily be got over. If, of course, on the other hand the Rai Bahadur feels so keenly for the Marwari community to be represented he might perhaps be sporting enough to make room by retiring as a member of the Corporation and to allow a Marwari gentleman to come in his place. But I do not think that the Government would be justified in removing one of the nominated members from the Improvement Trust. For all these reasons, I am unable to accept this resolution."

The Hon'ble Rai Radha Charan Pal Bahadur said :—

"My Lord, I am quite aware of the provision which has been referred to by the Hon'ble the Maharajadhiraja Bahadur of Burdwan. But the difficulty is that it is so difficult to persuade a masterful person like Mr. Bompas to co-opt a Marwari gentleman on the Board. If we could do that, there would not have been any necessity for moving this resolution.

Then, my Lord, the Hon'ble the Maharajadhiraja Bahadur of Burdwan used an unhappy expression "remove." I never meant that a Government nominee should be removed, but what I meant was that, as I know from experience in the Council, Government might, in view of the requirements of the situation, make some arrangements by which some room might be made for a member of the Marwari community. Quite recently there has been a member nominated by the Government. Government have got four nominations and they always look to the interests of the minority, that is the reason why the suggestion had been made.

As regards the graceful suggestion made by the Hon'ble Maharajadhiraja Bahadur that if I am so keen for the representation of the Marwari community, I might retire in favour of a Marwari member. I do not know whether it is the voice of somebody behind the Hon'ble Member which prompted the suggestion. However that may be, I know that nothing would give some persons greater pleasure than to see me out of the Board. But I have this satisfaction that people want me to be there.

The motion was then put and lost.

Adjournment.

The Council was adjourned *sine die*.

A. M. HUTCHISON,

*Secy. to the Govt. of Bengal, and Secy. to the
Bengal Legislative Council.*

CALCUTTA,
The 24th July 1919.



The Calcutta Gazette

WEDNESDAY, SEPTEMBER 3, 1919.

PART IVA.

Proceedings of the Bengal Legislative Council.

GOVERNMENT OF BENGAL.

LEGISLATIVE DEPARTMENT.

Abstract of the Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act, 1915.

THE Council met in the Durbar Hall at new Government House, Dacca, on Tuesday, the 12th August, 1919, at 11 a.m.

Present :

HIS EXCELLENCY the Right Hon'ble LAWRENCE JOHN LUMLEY DUNDAS, EARL OF RONALDSHAY, G.C.I.E., *Governor of the Presidency of Fort William in Bengal, presiding.*

The Hon'ble SIR HENRY WHEELER, K.C.I.E., C.S.I.

The Hon'ble MR. J. G. CUMMING, C.S.I., C.I.E.

The Hon'ble SIR BIJAY CHAND MAHTAB, K.C.S.I., K.C.I.E., I.O.M., MAHARAJA-DHIRAJA BAHADUR OF BURDWAN.

The Hon'ble MR. J. H. KERR, C.S.I., C.I.E.

The Hon'ble MR. F. C. FRENCH, C.S.I.

The Hon'ble Mr. J. LANG.

The Hon'ble Mr. J. F. GRAHAM.

The Hon'ble Mr. C. F. PAYNE.

The Hon'ble Mr. M. O. McALPIN.

The Hon'ble Mr. S. W. GOODE.

The Hon'ble Mr. F. A. A. COWLEY.

The Hon'ble COLONEL J. K. CLOSE, M.D., I.M.S.

The Hon'ble Mr. T. O. D. DUNN.

The Hon'ble Mr. J. DONALD, C.I.E.

The Hon'ble KHAN BAHADUR MAULVI AMINUL ISLAM.

The Hon'ble Mr. L. V. N. MEARES.

The Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI.

The Hon'ble SIR DEBA PRASAD SARBADHIKARI, Kt., C.I.E.

The Hon'ble SIR FRANK CARTER, Kt., C.I.E., C.B.E.

The Hon'ble Mr. A. R. MURRAY, C.B.E.

The Hon'ble Mr. W. H. PHELPS.

The Hon'ble Mr. G. A. BAYLEY.

The Hon'ble MAULVI ABUL KASEM.

The Hon'ble MAULVI A. K. FAZL-UL-HAQ.

The Hon'ble KHAN SAHIB AMAN ALI.

The Hon'ble Mr. ALTAF ALI.

The Hon'ble RAI SRI NATH RAY BAHADUR.

The Hon'ble BABU AKHIL CHANDRA DATTA.

The Hon'ble RAI MAHENDRA CHANDRA MITRA BAHADUR.

The Hon'ble BABU SURENDRA NATH RAY.

*Questions and Answers.***LIST OF BUSINESS—ITEM No. 1.****OATH OF ALLEGIANCE.**

The Hon'ble Mr. A. R. Murray made an oath of his allegiance to the Crown.

LIST OF BUSINESS—ITEM No. 2.**QUESTIONS AND ANSWERS.**

The following questions, which were starred, were put and answered :—

By the Hon'ble Babu Kishori Mohan Chaudhuri:—

***1.**

(a) Is it a fact that some years ago the late Government of Eastern Bengal and Assam and the then Government of Bengal proposed that all administrative posts of Principalships and Circle Inspectorships should be held by members of the Indian Educational Service? Method of filling up the posts of Principals and Circle Inspectors of colleges.

(b) Is it a fact that it was proposed to remove Rai Kumudinikanta Banerji Bahadur, M.A., from the Principalship of the Rajshahi College as he was the only member of the Provincial Educational Service holding an administrative post, namely, that of the Principal of a first grade Government college?

(c) Is it also a fact that though Lord Morley, the then Secretary of State for India, approved of the general principle that the administrative posts should be held by officers of the Indian Educational Service, he did not accept the proposal of removing Rai Kumudinikanta Banerji Bahadur from the Principalship of the Rajshahi College?

(d) Will the Government be pleased to state why an exception was made in the case of Rai Kumudinikanta Banerji Bahadur, the Principal of the Rajshahi College?

(e) Will the Government be pleased to state why the Principalship of the Rajshahi College, which is a large first grade college, has not been made an Indian Educational Service post, while the Principalships of small colleges, such as those at Krishnagar, Hooghly and Chittagong, have been made Indian Educational Service posts?

(f) Will the Government be also pleased to state the number and description of the new Indian Educational Service posts sanctioned since the adoption of the principle referred to in clause (a) of the question?

(g) Are the Government aware of the fact that if Rai Kumudinikanta Banerji Bahadur, M.A., had been removed from the Principalship of the Rajshahi College and transferred to any other place, either as Professor or Additional Inspector, he would have been a considerable gainer pecuniarily, as he could then have officiated in the Indian Educational Service, in which a large number of vacancies occur every year?

(h) Is it a fact that he was on the same pay (Rs. 600, class II of the Provincial Educational Service) for about eleven years from 1908 to 1918?

(i) Are the Government aware that before the present post-graduate scheme was in operation, he used to teach M. A. students of Physics and many of them passed with high degrees and some of them are now professors in Government colleges?

Questions and Answers.

(j) Are the Government also aware that he is an outside examiner in M. Sc. Physics in the post-graduate scheme of the University; and that though he has been the Principal of a large Government college since 1897, he has, all the time he has been Principal, been doing the work of a full-time professor owing to the fact that Government did not sanction any additional posts?

(k) Has the attention of the Government been drawn to the reply of the Hon'ble Mr. H. Sharp in the Imperial Legislative Council to the Hon'ble Mr. Suba Rao Pantalu's resolution on the Public Services Commission on the 17th March, 1911, in which he stated that an Indian officer held the administrative post of a Principal of a first grade Government college and he mentioned Rai Kumudinikanta Banerji Bahadur as that officer?

(l) Is it also a fact that he was the only Indian at that time holding an administrative post in the Education Department in the whole of British India?

Answer by the Hon'ble Mr. Goode:—

"(a) This is not correct. There never was any proposal for including all posts of Principals in the Indian Educational Service, but in 1907, the Government of Bengal, as it was then constituted, proposed that the Principals of the Hooghly, Krishnagar and Ravenshaw Colleges should be Indian Educational Service officers. As regards Inspectorships, in 1904 the then Government of Bengal proposed that all Commissioners' divisions should be in charge of well trained European Inspectors in the Indian Educational Service.

(b) In 1912, in connection with some breaches of discipline which occurred among the students of the Rajshahi College, it was proposed that the Rai Bahadur should be transferred to the Krishnagar College, but as the post of Principal of the Rajshahi College was in the Provincial Educational Service cadre while that of the Krishnagar College was in the Indian Educational Service, it was suggested that the two posts should be interchanged. Government did not accept the proposal.

(c) In 1908, in sanctioning certain proposals in connection with the educational services in Eastern Bengal and Assam, Lord Morley entirely agreed with Sir Lancelot Hare's recommendation that the Rajshahi College should be wholly manned with highly-qualified Indian officers recruited in India. Lord Morley did not accept any such general principle as suggested in the question.

(d) Owing to the successful administration of the College.

(e) The question of including the post of Principal of the Rajshahi College in the Indian Educational Service never arose, because the College was well administered. At Hooghly and Krishnagar the old arrangement under which the Principal was a Provincial Educational Service officer did not work well, and at Chittagong the post was so included in connection with the raising of the status of the College.

(f) A statement is laid on the table.

(g) Yes.

(h) Yes.

(i) The Rai Bahadur used to teach M.A. students of Physics, but Government have no definite information on the other points.

(j) Government believe it is true that he is an outside examiner in M.Sc. Physics in the post-graduate scheme of the University and that he has practically been doing the same amount of work as is usually done by a professor in a college. In 1917, however, the Presidency College Committee recommended that Principals should take an active part in the instruction of

Questions and Answers.

the students, and an inquiry was accordingly made into the question of relieving the Principals of the larger Government colleges outside Calcutta of a portion of their administrative duties. Bursars were appointed in some colleges. The Rai Bahadur did not think a Bursar was necessary for Rajshahi College, but proposed that a steward and assistant librarian should be appointed. Government did not approve this proposal. It was found that the Rai Bahadur was doing 13 hours' teaching work a week, but he was opposed to the idea of the Principal being relieved of any of this work.

(k) Yes.

(l) Government have no information."

Statement referred to in the answer by the Hon'ble MR. GOODE to question No. 1 (starred) asked by the Hon'ble BABU KISHORI MOHAN CHAUDHURI at the Council Meeting of the 12th August, 1919, showing the number and description of the new Indian Educational Service posts sanctioned since 1910.

No.	Description of the post.
1	Professor of English, Dacca College.
2	Professors of Physics, Dacca College.
1	Professor of Mining, Civil Engineering College, Sibpur.
1	Professor of Mechanical Engineering, Civil Engineering College, Sibpur.
1*	Principal, David Hare Training College.
2	Professors (Masters of Method), David Hare Training College.
1	Assistant Director of Public Instruction for Muhammadan Education, Bengal.
1	Professor of History, Presidency College.
1	Inspector of Schools, Rajshahi Division.
1	Principal, Bethune College.
1*	Principal, Hastings House School.
2*	Assistant Masters, Hastings House School.

15

* Created temporarily for five years. The posts of the Principal and one Assistant Master have been filled.

By the Hon'ble Rai Mahendra Chandra Mitra Bahadur:—

***II.**

(a) Is it a fact that the Hastings House property, Alipore, has been placed by the Government of India at the temporary disposal of the Government of Bengal as a residential school for the sons of Indian gentlemen? Hastings School, Alipore.

(b) If so, for how many years and on what conditions?

(c) Is it a fact that the said school has been founded to meet the wishes of the leaders of Indian society?

(d) If so, are the Government in a position to state the names and occupation or profession of these leaders?

(e) Is the Hastings School recognized by the Universities of Oxford, Cambridge, Dublin or Edinburgh?

(f) Is the said school recognized by the University of Calcutta?

(g) Will the Government be pleased to state whether the curriculum of studies in the Hastings School differs materially from that of the Oxford and Cambridge joint-board higher certificate examination or the Cambridge senior local certificate examination, or the matriculation examination of the Calcutta University?

Questions and Answers.

(h) Has any highly qualified mathematical master been engaged for the said school as recommended by the assistant master in charge of the school?

(i) If not, what steps are the Government taking in this connection?

(j) Are the Government aware that the establishment of a Science Laboratory under the charge of a well-qualified science teacher is one of the greatest needs of the said school?

(k) If so, will the Government be pleased to state what steps (if any) they are taking in this matter?

(l) Will the Government be pleased to state whether any steps are being taken by the school authorities to teach scientific agriculture to sons of *zamindars*, who are reading in the said school?

(m) If not, are the Government considering the advisability of requiring the school authorities to make the necessary arrangements in this connection?

Answer by the Hon'ble Mr. Goode:—

“(a) and (b) The Hastings House property has been placed at the disposal of the Government of Bengal for the accommodation of the experimental public school for a period of 5 years from July 1915 on the following conditions:—

- (1) The building shall be kept in repair by the Public Works Department at the expense of the school authorities.
- (2) The school authorities shall pay all municipal taxes leviable in respect of the property.
- (3) No permanent structure shall be erected on the estate without the previous consent of the Government of India.
- (4) At the end of the 5 years the property shall be returned to the Government of India in the state in which it was when it was made over.

The Government of Bengal have recently asked for sanction to the continuance of these arrangements up till 1922.

(c) and (d) In 1913, a memorial was received praying for the establishment of a residential school for Indian boys on the lines of an English public school. A list of the names of some of the most prominent supporters of this proposal is laid on the table.

(e) The system of recognition of schools by Universities does not obtain in Great Britain and Ireland.

(f) Steps are in contemplation for affording facilities to pupils of the school for appearing at the examinations of the Calcutta University.

(g) The curriculum is based upon the requirements of the Cambridge Senior Examination and when necessary boys are prepared for the Cambridge Higher Certificate Examinations. Boys whose parents or guardians desire it are sent up for the Calcutta Matriculation examination.

(h) and (i) It is proposed to recruit a European assistant master in the Indian Educational Service to teach science and mathematics but his recruitment has been delayed owing to the war, and owing to the fact that the Secretary of State's sanction to the continuance of the school up to 1922 is still awaited.

(j) Yes

(k) Two grants amounting to Rs. 4,080 have been sanctioned for science teaching. It is further proposed to equip the laboratory at a cost of Rs. 3,000.

(l) and (m) No.”

Questions and Answers.

List referred to in the answer to clauses (c) and (d) of question No. II (starred) for the meeting of the Council held on the 12th August, 1919.

1. The Right Hon'ble Lord Sinha of Raipur.
2. The Hon'ble Sir Bijay Chand Mahtab, K.C.S.I., K.C.I.E., I.O.M., Maharajadhiraja Bahadur of Burdwan.
3. Maharaja Sir Prodyot Kumar Tagore Bahadur, Kt.
4. Maharaja Jagadindra Nath Ray of Natore.
5. Maharaja Ranajit Sinha of Nashipur.
6. Raja Pramada Nath Ray of Dighapatia.
7. Raja Kishori Lal Goswami.
8. The Hon'ble Sir R. N. Mookerjee, K.C.I.E.
9. Nawab Siraj-ul-Islam, Khan Bahadur.
10. Mr. K. C. De, C.I.E., I.C.S.
11. Mr. J. N. Gupta, I.C.S.
12. Mr. S. R. Das, Barrister-at-Law.
13. Mr. Bhupendra Nath Bose.

By the Hon'ble Sir Deba Prasad Sarbadhikari:—

***III.**

(a) Is it a fact that all, or nearly all, the munsifs in the first grade are now officiating as sub-judges and that since the creation of that grade a very large proportion of the officers of that grade has always officiated as sub-judges? The Provincial Judicial Service.

(b) Is it also a fact that few members of the first grade of munsifs get the benefit of the grade owing to the paucity of officers in that grade?

(c) Are the Government considering the desirability of increasing the strength of that grade from 25 to 50?

(d) With reference to the Hon'ble Sir Henry Wheeler's announcement on behalf of the Government in the course of the last budget debate that the first instalment of a scheme for the reorganization of the Provincial Judicial Service, costing over five lakhs of rupees, had been forwarded to the Government of India for sanction and that Rs. 1,25,000 had been set apart in this year's budget for giving effect to the scheme after sanction was received, will the Government be pleased to state whether the sanction of the Government of India has since been received?

(e) If not, are the Government in a position to state approximately when it may be expected?

Answer by the Hon'ble Mr. Graham:—

“(a) Nearly all the munsifs of the first grade are now officiating as subordinate judges and since the creation of that grade some of the officers of that grade have always officiated as subordinate judges.

(b) This portion of the question is not understood.

(c) In view of the possibility of the adoption of a time scale, Government do not propose to alter the grading of the service at present.

(d) The proposals of the Local Government for the reorganisation of the service are still under the consideration of the Government of India, but they have recently sanctioned as a temporary measure an increase in the pay of the lower grade of munsifs from Rs. 200 to Rs. 250 a month.

(e) Government are unable to make any forecast on this point.”

*Questions and Answers.***By the Hon'ble Sir Deba Prasad Sarbadhikari:—*****IV.**The Bengal
Juvenile
Smoking Act.

(a) Will the Government be pleased to state what steps (if any) have been taken to give effect to the provisions of the Bengal Juvenile Smoking Act, 1919, and when such steps were taken?

(b) What further steps are possible to be taken and when are they proposed to be taken?

Answer by the Hon'ble Mr. Goode:—

“(a) and (b) The Act came into force on the 1st February, 1919. Since then, after carefully considering the whole matter, Government have authorised Head Masters of high or middle schools and Madrassahs in Calcutta, under section 4 of the Act to seize or destroy any tobacco, pipes or cigarette papers found in the possession of boys under 16 years of age attending their respective schools whom they find smoking in any street or public place. Government do not contemplate taking any further action at present.”

By the Hon'ble Sir Deba Prasad Sarbadhikari:—***V.**The Bengal
Village
Self-Government
Act.

(a) Will the Government be pleased to state what steps (if any) have been taken under section 5 of the Bengal Village Self-Government Act, 1919, (Bengal Act V of 1919)?

(b) What other steps are proposed to be taken under the Act and when?

Answer by the Hon'ble Mr. Goode:—

“(a) and (b) Commissioners of Divisions have been asked to report after consultation with district officers and district boards in what districts or parts of districts the Act should be extended and from what date, and what local areas should be declared unions. They have also been asked to make some definite proposals regarding the formation of circles. Meanwhile rules are being framed under section 101 of the Act so that they may be put into force when union boards are created.”

By the Hon'ble Sir Deba Prasad Sarbadhikari:—***VI.**The Subordinate
Educational
Service.

(a) Will the Government be pleased to state whether it is intended to place the Subordinate Educational Service on a better basis?

(b) If so, when and in what way?

Answer by the Hon'ble Mr. Goode:—

“(a) and (b) The Hon'ble Member is referred to the reply to question No. 12 (a) asked by the Hon'ble Babu Brojendra Kishor Ray Chaudhuri.”

By the Hon'ble Babu Surendra Nath Ray:—***VII.**Death of a
student in a
crush at Howrah
station.

(a) Has the attention of Government been drawn to the case of a student, who was going to Puri in the last week of June, and who was crushed to death as a result of the overcrowding in the Bengal-Nagpur Railway train at the Howrah railway station?

Questions and Answers.

(b) Will the Government be pleased to state what steps were taken by the railway authority or by the police to cope with the situation caused by the rush of passengers for Puri during the last Rathajatra festival?

Answer by the Hon'ble Mr. Kerr:—

"(a) It is reported that a young Bengali collapsed from heat stroke on No. 9 platform at the Howrah station on the 26th June. The platform police inspector procured ice and rendered all assistance in his power. The man was then sent in an ambulance to the hospital, but died from heart failure before he arrived there. He was not crushed to death. There was not an unusually large number of passengers on the day in question, and the rush to Puri did not set in till two days later.

(b) Additional police were deputed for platform work at Howrah, Rishra, Serampore and Guptipara railway stations from the 28th June till the 7th July to deal with the rush of traffic in connection with the Rath Jatra festival."

By the Hon'ble Babu Surendra Nath Ray:—

***VIII.**

(a) Is it a fact that about the first or second week of July last, a man was found inside the out-door ward of the Mayo Hospital who desired admission to the hospital, and that the Doctor informed him that he could not be admitted as no bed was available?

Alleged dereliction of duty on the part of the Doctor in charge of the Mayo Hospital.

(b) Is it also a fact that though the man could not move and was lying on the floor, the Doctor in charge asked the man to go out of the hospital?

(c) Is it also a fact that he was then carried bodily and placed on the footpath in front of the Mayo Hospital?

(d) Is it a fact that the deceased lay there till the next morning when a passer-by phoned for an ambulance and that he was removed to the Campbell Hospital, where he died?

(e) Whose duty was it to arrange for the removal of the deceased to the Campbell Hospital, or any other hospital, when it was found that there was no accommodation in the Mayo Hospital?

(f) Are the Government aware of the opinion that has been expressed that it was a dereliction of duty on the part of the Doctor in charge of the Mayo Hospital in having the deceased, who could not move and was lying on the floor, removed bodily to the footpath?

(g) Has the conduct of the Doctor the approval of Government? If not, what steps are the Government taking in the matter?

(h) Are the Government considering the desirability of issuing instructions to all Doctors in charge of hospitals, like that of the Mayo Hospital, that when there is no bed vacant in the hospital, proper steps be taken for sending such patients as are incapable of moving or are very unwell, to the Campbell Hospital or any other hospital?

Answer by the Hon'ble Mr. Payne:—

"Owing to the serious illness of Dr. C. H. Banerjee, House Surgeon on duty, the exact facts of the case are not yet known, but a full inquiry will be made and a reply given at a later date."

*Questions and Answers.***By the Hon'ble Rai Radha Charan Pal Bahadur:—*****IX.**Admission of
students into
the Calcutta
Medical College.

In connection with the admission of candidates to the Calcutta Medical College, will the Government be pleased to state—

- (1) the principles, if any, on which the candidates are selected;
- (2) the total number of applications received in the current year for admission;
- (3) the number of applications received from—
 - (a) M. Sc.'s,
 - (b) B. Sc.'s (Honours),
 - (c) B. Sc.'s (Pass),
 - (d) I. Sc.'s (1st Division), and
 - (e) I. Sc.'s (2nd and 3rd Divisions);
- (4) the total number of candidates admitted and how many of them are—
 - (a) M. Sc.'s,
 - (b) B. Sc.'s (Honours),
 - (c) B. Sc.'s (Pass),
 - (d) I. Sc.'s (1st Division), and
 - (e) I. Sc.'s (2nd and 3rd Divisions);
- (5) whether it is a fact that M. Sc.'s, and B. Sc.'s have been refused admission while some candidates who have only passed the I. Sc. examination, some only in the 2nd and 3rd Divisions, have been admitted?

Answer by the Hon'ble Mr. Payne:—

"(1) The Hon'ble Member is referred to the statement which will be made in connection with the resolution on the same subject to be moved at the present meeting of the Council.

(2) 947.

(3)—

- (a) 1.
- (b) 26.
- (c) 96.
- (d) 279.
- (e) 203.

(4)—

- (a) Nil. (There was only one candidate who was selected but did not join).
- (b) 14 *
- (c) 38
- (d) 75
- (e) 18

Total ...	145
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* At the time of selection no Honours list was available.

Questions and Answers.

(5) The facts are given above. Only a limited number of B.Sc.'s can be admitted, as they are entitled to go straight into the 2nd year class. Their numbers are therefore restricted by the vacancies in that class. A larger number of B.Sc.'s have been taken this year than have ever been admitted before, and the class space will not admit of a greater number being taken."

By the Hon'ble Rai Radha Charan Pal Bahadur:—

***X.**

(a) Will the Government please state how many posts of Assessors and Accountants have recently been created in Calcutta in connection with the assessment of the Excess Profits Tax?

Filling up of the posts of Assessors and Accountants, in connection with the assessment of the Excess Profits Tax.

(b) What is the pay of these posts?

(c) What are the names and educational qualifications of the persons who have been appointed to these posts and the previous services rendered by them in the Income-Tax Department? Have they had any training as Accountants?

(d) Have these posts been filled by the Income-Tax Collector, Calcutta, or by the Government?

(e) Before filling up these posts, were applications invited by advertisement? If not, why not?

(f) Has any Indian been appointed? If not, why not?

Answer by the Hon'ble Mr. Payne:—

"(a) and (b) No posts of assessors or accountants have recently been created in Calcutta in connection with assessment of Excess Profits Duty. Four examiners were appointed in that connection two on Rs. 400 per mensem and two on Rs. 300 per mensem.

(c) The examiners appointed and their qualifications are given below:—

1. Mr. O. K. Martin, F.A., Calcutta University, with 17 years' service in the Calcutta Collectorate.—Has been through a course of accounts.
2. Mr. C. E. Smith—24 years' service in the Custom House, Calcutta.—Has had experience in accounts in the Salt section.
3. Mr. Frank Robertson, B.A. (Cantab.).—Higher Mathematics certificate, Glasgow University. Late accountant in the firm of Messrs. Phillipe Perrone & Co.
4. Mr. W. Phillipe, High School Examination, with 15 years' service in the Custom House, Calcutta, most of his service being in the Accounts section.

(d) By the Income-tax Collector.

(e) No. Men of special qualifications were required and it will be observed that in three out of four instances they were taken from those already in Government service. The appointments were for one year only.

(f) No. The men selected were those who were thought most suitable for the work to be done. It is estimated that 95 per cent. of the Excess Profits Duty in Calcutta will be collected from European assesseees, and there is already an Indian examiner under the Collector of Income-tax who deals with the accounts of Marwari firms."

*Questions and Answers.***By the Hon'ble Rai Radha Charan Pal Bahadur:—*****XI.**

Revised scale of pay and prospects of Civil Assistant Surgeons.

(a) Will the Government be pleased to state what steps have been taken to give effect to the recommendations of the Public Services Commission regarding the revised scale of pay and prospects of the Civil Assistant Surgeons?

(b) Is it a fact that a large number of Civil Assistant Surgeons have petitioned the Government praying for an early consideration of these recommendations and, if so, what orders have been passed on their petition?

(c) Is it a fact that Indian Medical Service officers and also Military Assistant Surgeons have been granted a substantial increment of salary?

(d) At the time of granting these increases, was any proposal before the Government to increase the salaries of Assistant Surgeons?

(e) If not, are the Government contemplating taking up the question now?

Answer by the Hon'ble Mr. Payne:—

"(a) The question of the pay and prospects of civil assistant surgeons has recently been examined by the Medical Services Committee appointed by the Government of India. The report of that Committee has recently been received by this Government and is under consideration.

(b) No such petitions have been received by Government, but the Surgeon-General is considering certain petitions from civil assistant surgeons which have been submitted to him.

(c) The pay of officers of the Indian Medical Service on military duty and of military assistant surgeons has been increased, and orders have just been issued regarding an increase of pay to officers of the Indian Medical Service in civil employment.

(d) and (e) As already stated, the question is under the consideration of Government in connection with the report of the Medical Services Committee."

By the Hon'ble Rai Radha Charan Pal Bahadur:—***XII.**

Revision of the scale of pay of Head Constables of the Bengal Police.

(a) Will the Government be pleased to state what orders have been passed in regard to the revision of the scale of pay of the Head Constables of the Bengal Police, and from what date the orders have taken or will take effect?

(b) Will the Government be pleased to state how the revised scale of pay compares with the present scale? What is the percentage of increase, and what is the total yearly additional expenditure which the new scale involves?

(c) What is the maximum pay which a Head Constable may, in the ordinary course, expect to reach, according to the new scale?

(d) Have the salaries of the Sergeants of the Provincial Police Force been raised; if so, what is the percentage of increase and what is the total yearly additional expenditure involved?

(e) Is it proposed to utilize any portion of the amount provided in the Provincial Police Budget for 1919-20 for raising the pay of the Head Constables towards meeting the expenditure on account of raising the pay of the Sergeants? If so, how much and why?

*Questions and Answers.***Answer by the Hon'ble Mr. Kerr.—**

"(a), (b) and (c) A scheme for the revision of the pay of Head Constables of the Bengal Police is under the consideration of the Secretary of State. Pending receipt of his orders, Government are not prepared to publish the details of the scheme.

(d) The salaries of Sergeants in the Bengal Police have been raised with effect from the 1st June 1919 from Rs. 100— $\frac{1}{2}$ —125 to Rs. 125— $\frac{1}{2}$ —150. The increase is 21 per cent., and the annual expenditure involved is Rs. 15,600, of which Rs. 2,100 will be borne by the East Indian Railway Company.

(e) As stated in the *communiqué* recently issued on this subject, a provision of Rs. 2,17,260 was made in the budget for 1919-20 on account of the cost of the scheme for the revision of the pay of Head Constables, on the assumption that the scheme would be brought into force on the 1st April. As the scheme has not yet been sanctioned, there will be considerable savings under this head, and it has been decided to meet from the savings the cost during the current year of the increase of the Sergeants' pay, which will not exceed Rs. 10,000."

By the Hon'ble Rai Mahendra Chandra Mitra Bahadur:—***XIII.**

(a) Is it a fact that the theft of food grains and petty dacoities are increasing in the district of Bankura?

Increase of cases of theft and petty dacoities in the district of Bankura.

(b) Is it a fact that these are attributable to distress or famine in the above district?

(c) If so, will the Government be pleased to state why some portion of the relief works are being closed there?

(d) How much cloth has been distributed to the destitutes, males and females, respectively, up to June, 1919, in each of the villages in the said district?

(e) Are the Resolutions No. 3—99—2, dated Calcutta, the 25th March, 1905, and No. 13—356—10, dated Simla, the 21st August, 1906, respectively, by the Government of India, Department of Revenue and Agriculture, Land Revenue, on the subject of the suspension and remission of land revenue and cess, in force in the Presidency of Bengal?

(f) If so, are the Government considering the desirability of urging on the Collector of Bankura, to give effect to the resolutions referred to above without further delay?

Answer by the Hon'ble Mr. McAlpin:—

"(a) Yes. The Hon'ble Member is referred to the reports on the famine in Bankura published weekly in the *Calcutta Gazette*.

(b) Yes.

(c) On account of the resumption of agricultural operations, the numbers of relief works, consisting in the excavation of tanks or reservoirs and the construction or repair of roads, rose from 51 in the beginning of June to 76 in the second week of July: the number has fallen to 62 in the beginning of August.

The question, however, indicates some misunderstanding of the measures adopted for relief in Bankura. By far the majority of the population relieved are not on relief works, but receive gratuitous relief.

Questions and Answers.

(d) Since the beginning of the relief operations, and up to the end of June last, 8,182 pieces of cloth were distributed. It is not possible to give the figures village by village.

(e) Yes.

(f) The Collector cannot give effect to the resolutions unless the proprietors and tenure holders of Bankura make them really effective by suspending the collection of, or remitting, the rents of the actual cultivators. Moreover, the Collector is aware of the policy enunciated in the resolutions. The answer to the particular question is, therefore, in the negative, but the Collector's attention will be again drawn to the matter."

UNSTARRED QUESTIONS.

The answers to the following questions, which were unstarred, were laid on the table :—

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

Survey schools
at Dacca and
Mainamati.

(a) Is it a fact that many of the passed students of the Dacca survey class have found it impossible to join the second year class at Mainamati?

(b) How many students have passed from the first year class at Dacca, and how many of them have joined the Mainamati School for further studies?

(c) Is it a fact that the course of study at Dacca does not strictly correspond and lead up to the second year course at Mainamati, the two being based on different systems of grouping of subjects and different standards?

(d) What are the reasons for not opening the second year survey class at Dacca?

Answer by the Hon'ble Mr. Goode:—

"(a) Yes. The reason is that the 2nd year class at Mainamati is recruited from students from Dacca and three other schools as well as the passed students of the 1st year class. It is expected that there will be more vacancies from next year owing to the closing of the 1st year class there.

(b) Eighteen students passed from the 1st year class at Dacca; 9 students were admitted from Dacca.

(c) No the course at Dacca leads up to the 2nd year course at Mainamati, being almost the same as the 1st year course at the latter school, but with some minor additions, viz., a little engineering and estimating.

(d) Government decided that it was desirable in the interests of survey education to centralise the higher training at Mainamati, where the terrain is much more suitable than at Dacca for a thorough training in practical surveying."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

Weaving
schools of
Bengal.

Will the Government be pleased to lay on the table a statement showing the progress made and results obtained by the weaving schools at Malda, Cox's Bazar, Bankura, Pabna and Tangail and note in each instance the number of pupils coming from the local weaving classes and the cost of maintenance of the schools up to date?

*Questions and Answers.***By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—**

Industrial and technical schools for females independent of missionary control.

(a) How many industrial and technical schools for girls and women are there in the Presidency which are not under the control of missionaries?

(b) In view of the difficulties of the mission workers to reach the Hindu and Moslem *zenana* ladies, are the Government considering the desirability of devising a scheme of industrial and technical education for *zenana* women, independent of missionary influence?

Answer by the Hon'ble Mr. Goode:—

“(a) There are, strictly speaking, no technical classes or schools for girls in the Presidency which are not under missionary control. There are, however, industrial classes which make and sell plain needlework attached to the following:—

- (1) Mahila Silpa Samiti, Calcutta;
- (2) Hari Silpa Samiti, Calcutta;
- (3) Hindu Orphanage, Calcutta; and
- (4) Widows' Home at Wari, Dacca.

These are privately managed samities and institutions, of which the last two receive grants from Government amounting to Rs. 42 a month in the case of the Hindu Orphanage, Calcutta, and Rs. 77 a month in the case of the Widows' Home at Wari. The Mahila Silpa Samiti was at one time aided by the Department, but in 1915 the grant was withdrawn as it was badly managed and its work was unsatisfactory.

(b) It is reported that there is no real demand for technical instruction amongst *zenana* ladies and in any case it is a kind of undertaking which must depend largely upon local workers and missionaries. It is not proposed therefore to devise any scheme such as that referred to. But Government would be prepared to consider favourably the question of making grants to institutions such as those mentioned above, provided they are based upon local support and do satisfactory work.”

By the Hon'ble Maulvi A. K. Fazl-ul-Haq:—

4.

Raising of the pay of typists serving under heads of departments attached to the Bengal Secretariat.

(a) Will the Government be pleased to state whether it is in contemplation to raise the grade pay of the typists serving under heads of departments attached to the Secretariat (*e.g.*, the offices of the Director of Public Instruction, the Inspector-General of Police and the Bengali Translator to Government and others)?

(b) Are the Government aware that the typists in these departments feel that they have a just grievance in being deprived of the increment which was sanctioned for Secretariat typists last year?

*Questions and Answers.***Answer by the Hon'ble Mr. Payne:—**

“(a) No.

(b) The typists in the office of the Director of Public Instruction submitted a memorial on the subject recently which was rejected.

There has always been some differentiation between the Secretariat and the offices of Heads of Departments in the matter of pay.”

By the Hon'ble Rai Mahendra Chandra Mitra Bahadur:—

5.

(a) Will the Government be pleased to lay on the table a statement showing the income and expenditure of the Hastings School, Alipore, from 1915 to the period ending 31st March, 1919? Hastings School,
Alipore.

(b) Will the Government be pleased to lay on the table a statement containing the number of boarders, day-boys and day-boarders in each of the forms of the Hastings School, Alipore, according to their religion, nationality and caste during each of the years from 1915 to the period ending 31st March, 1919, and also the occupation or profession of their guardians?

(c) Is it a fact that the Hastings School is under the immediate supervision of the Director of Public Instruction, Bengal?

(d) If so, will the Government be pleased to state whether the general rule No. 13, regarding corporal punishment, framed by the Director of Public Instruction, Bengal, with special reference to high schools, as published on page 168 of the Rules and Orders of the Education Department of Bengal, 4th edition, is in force in the Hastings School?

(e) If not, what is the general practice regarding the infliction of corporal punishment to the boys of the said school?

(f) Is it a fact that a boy in Form V is authorised by the school authorities to inflict corporal punishment to other boys of the said school in the case of any breach of discipline, especially during the hours of games?

(g) Will the Government be pleased to state whether there is any ground for apprehension as regards the abolition or amalgamation of this school with some other institution?

(h) Is this school meant for the sons of rich men only?

(i) If so, will the Government be pleased to state the reason why a considerable amount of provincial revenue is applied to make up the financial deficiency of the said school?

(j) Will the Government be pleased to state what steps they are taking to improve the financial condition of the said school?

(k) Will the Government be pleased to state what steps the members of the Advisory Committee are taking to make the institution self-supporting as far as possible?

(l) Will the Government be also pleased to state whether the members of the Advisory Committee ever attempted to raise sufficient funds from among the leaders of Indian society, whose sons are benefited, with a view to the creation of endowments for the said school?

Answer by the Hon'ble Mr. Goode:—

“(a) A statement showing the income and expenditure on the school is laid on the table.

(b) Statements giving the required information so far as is possible are laid on the table.

(c) and (d) The reply is in the affirmative.

Questions and Answers.

(e) The question does not arise.

(f) The school prefect is made responsible for the general discipline but is not permitted to inflict corporal punishment.

(g) This Government has recommended that the school should be kept on an experimental basis until the end of 1922. Whether it will be made permanent or not will depend on the amount of public support it receives.

(h) and (i) It is true that there has been an impression that the school is meant for the sons of rich men only, but that is not correct, although fees must necessarily be high in a school of this kind. In the opinion of the Director of Public Instruction the education imparted in this school is "immeasurably superior" to that given in any other school in the Presidency, and though Government recognises that such a school must ultimately be either self-supporting or liberally aided by private benefactions, it believes that the expenditure at present incurred while the school is in the experimental stage, is amply justified.

(j) It is proposed to make the school more popular by the adoption of the following measures :—

- (1) The development of the day side of the school.
- (2) Improvement of the facilities for science teaching.
- (3) Appointment of two more European masters.
- (4) Provision, if it is found practicable, of separate messing arrangements for sons of orthodox Hindus.
- (5) The offer of concessionary rates of fees for sons of Government servants.

No final decision has been reached on the last point. A proposal to introduce separate messing arrangements for the orthodox is under discussion.

(k) The members of the Advisory Committee and others have offered five scholarships for competition. Government are consulting them as to the measures necessary to make the school more popular.

(l) The reply is in the negative. The school is still being continued on an experimental basis, but the question of a permanent endowment is one which will have to be considered."

Statements referred to in the Answer by the Hon'ble MR. GOODE to Question No. 5 asked by the Hon'ble RAI MAHENDRA CHANDRA MITRA BAHADUR at the Council Meeting of the 12th August, 1919.

STATEMENT OF STUDENTS, SHOWING THEIR NUMBER AND CLASSIFICATION.

YEAR.	Form.	No. of Boarders.	No. of Day Boarders.	No. of Day Boys.	Total.	Occupation of parents or guardians.
July 31st, 1915	V	4	...	1	5	Land owners 2, Government servants 5, mercantile 4, legal practitioners 7, professional nil.
	III	4	...	...	4
	II	2	...	...	2
	I	6	...	1	7	
	...	16	...	2	18	

Questions and Answers.

YEAR.		Form.	No. of Boarders.	No. of Day Boarders.	No. of Day Boys.	Total.	Occupation of parents or guardians.	
March 31st, 1916	...	V	7	7		
		IV	8	...	...	8
		III	7	2	...	9		
		II	6	3	...	9		
		I	3	1	...	4		
		...	31	6	...	37		
March 31st, 1917	...	VI	4	...	1	5	Land owners 8, Government servants 9, mercantile 5, legal practitioners 14, professional 1.	
		V-U	6	...	...	6
		V-L	3	...	...	3
		IV	6	3	...	9		
		III	7	3	...	10		
		II	3	2	1	6		
		I	1	...	1	2	Land owners 11, Government servants 11, mercantile 6, legal practitioners 12, professional 1.	
		...	30	8	3	41		
March 31st, 1918	...	V	4	1	...	5		
		V-U	1	...	...	1
		V-L	4	1	...	5		
		IV	11	3	4	18		
		III	5	1	1	7		
		II	1	...	3	4		
		I	2	2	...	4	Land owners 18, Government servants 10, mercantile 9, legal practitioners 6, professional 1.	
		...	28	8	8	44		
March 31st, 1919	...	V	2	2	...	4		
		IV	8	1	4	13		
		III	5	1	6	12		
		II	6	1	5	12		
		I	3	2	2	7		
		...	24	7	17	48		
							Land owners 21, Government servants 6, mercantile 9, legal practitioners 10, professional 2.	

STATEMENT SHOWING THE NATIONALITY OF STUDENTS.

YEAR.	Europeans and Anglo-Indians	Hindus.	Muhammadians.	Parsees.	Total.
1916-17	2	32	6	1	41
1917-18	2	33	8	1	44
1918-19	1	39	8	...	48

Questions and Answers.

STATEMENT SHOWING THE OCCUPATION OF PARENTS OR GUARDIANS.

		July 1915.	March 1916.	March 1917.	March 1918.	March 1919.
Government servants	...	5	9	11	10	6
Mercantile	...	4	5	6	9	9
Legal practitioners	...	7	14	12	6	10
Professional	...	...	1	1	1	2
Land owners	...	2	8	11	18	21
Total	...	18	37	41	44	48

Statement referred to in the answer by the Hon'ble Mr. GOODE to Question No. 5 asked by the Hon'ble RAI MAHENDRA CHANDRA MITRA BAHADUR at the Council Meeting of the 12th August, 1919, showing the income and expenditure of the Hastings School, Alipore, from 1915-16 to 1918-19.

Year.			Income. Rs.	Expenditure. Rs.
1915-1916	...	...	21,274	42,104
1916-1917	...	...	43,569	60,658
1917-1918	...	...	38,522	55,669
1918-1919	...	...	37,064	49,231

By the Hon'ble Rai Mahendra Chandra Mitra Bahadur:—

6.

Pollution of
Tolly's Nullah
from discharges
of Russa
Distillery.

(a) Are the Government aware of the fact that the water of the Adi Ganga (Tolly's Nullah) is considered sacred by the Hindus, and that pilgrims who visit the temple in Kalighat from various parts of India drink this water?

(b) Are the Government considering the desirability of urging on the Sanitary Commissioner, Bengal, and the local authorities, the necessity for the prevention of the pollution of the said water with foul and objectionable discharges from the Russa Distillery in the district of the 24-Parganas?

Answer by the Hon'ble Mr. Goode:—

"(a) and (b) The reply is in the affirmative. The Sanitary Commissioner recently inspected the distillery and his proposals are now under consideration."

*Questions and Answers.***By the Hon'ble Rai Radha Charan Pal Bahadur:—**

7.

With reference to the answer to unstarred question No. IX of the 3rd July, 1918, will the Government be pleased to state whether they are at present considering the desirability of introducing the boy-scout movement in selected high schools?

Introduction of boy-scout movement in selected high schools.

Answer by the Hon'ble Mr. Goode:—

"The chief difficulty in introducing the boy-scout movement into schools arises from the lack of trained scout-masters. A Governing Body entirely independent of Government has been constituted to guide and control the movement. The boy-scout movement at Home is inspired by the idea of spontaneity in which the value of individual effort and initiative is recognized and the idea of discipline to which the boy-scout voluntarily submits. State control clashes with these ideas, and Government, while anxious that the movement shall be encouraged under the competent guidance and control which now exist, are not prepared to take any active part in its expansion unless concrete proposals are made by the Governing Body. Government are now, in consultation with that body, considering how far it can assist in the training of scout-masters. At present two school troops have been formed in Calcutta in addition to troops drawn from territorial areas in the city."

By the Hon'ble Babu Siv Narayan Mukharji:—

8.

Will the Government be pleased to lay on the table—

- (i) the circular orders of Government issued from the Municipal Department of the Secretariat relating to the question of improving the drinking water in rural areas since the informal conference held in Darjeeling in October, 1912;
- (ii) the statistics showing the number of tanks excavated at the instance of the district and local boards of the Presidency in rural areas out of the proceeds of the public works cess during the last three years; and
- (iii) the details of works executed by the district boards during the last three years out of the amounts of the public works cess surrendered to them?

Improvement of drinking water and excavation of tanks in rural areas.

Answer by the Hon'ble Mr. Goode:—

- "(i) Copies of the Circular orders are laid on the Library table.
- (ii) A statement is laid on the table, but it is not possible to say what percentage of the public works cess receipts was spent on these works as district boards do not keep a separate account of expenditure out of these receipts.
- (iii) The Hon'ble Member is referred to the reply given to (ii) above."

Questions and Answers.

Statement referred to in the answer by the Hon'ble MR. GOODE to Question No. 8 (unstarred) asked by the Hon'ble BABU SIV NARAYAN MUKHERJEE at the Council Meeting of the 12th August, 1919, showing the number of tanks excavated or re-excavated by the District and Local Boards in Bengal during 1916-17, 1917-18 and 1918-19.

DISTRICT.	NUMBER OF TANKS EXCAVATED OR RE-EXCAVATED BY THE DISTRICT AND LOCAL BOARDS DURING			REMARKS.
	1916-17.	1917-18.	1918-19.	
Burdwan ...	14	2	...	Besides 6 are under construction.
Birbhum ...	...	...	...
Bankura ...	3	...	1	Besides 1 is under re-excavation.
Midnapore ...	...	...	3	Besides 14 are under construction.
Hooghly ...	8	3	2	
Howrah ...	8	5	...	Besides 6 are under construction.
24-Parganas ...	10	13	4	Besides 39 are under construction.
Nadia ...	...	...	...
Murshidabad ...	8	2	1	
Jessore ...	5	25	10	
Khulna ...	15	24	18	
Dacca ...	9	3	3	Besides 5 are under construction.
Mymensingh ...	10	12	8	
Faridpur ...	45	45	34	
Bakarganj* ...	7	17	18	* Besides 22 and 7 tanks were excavated by the Colonization and Khas Mahal Departments, respectively, the 2rds cost of which was contributed by the District Board.
Chittagong ...	69	1	2	
Tippera ...	19	33	7	
Noakhali ...	67	15	6	
Rajshahi ...	17	10	1	
Dinajpur ...	...	2	...	
Jalpaiguri ...	...	...	1	
Rangpur ...	1	3	...	
Bogra ...	3	...	...	Besides 3 are under excavation.
Pabna ...	1	2	1	
Malda ...	3	...	...

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

9.

Is it a fact that on account of the stringency imposed by the War a number of posts in the higher grades of the Subordinate Educational Service have been abolished and replaced by the same number of posts in lower grades

Questions and Answers.

causing a depreciation in the average pay of the service and reduction in the number of promotions from lower grades? If so, how long do the Government intend to continue this arrangement?

Answer by the Hon'ble Mr. Goode:—

"It is a fact that owing to the financial stringency caused by the war, appointments in the Subordinate Educational Service were not (until the middle of 1918) made strictly in accordance with the approved actuarial scale. The grading of the service is somewhat uneven, but the whole question will be looked into in connection with the reorganisation of the Subordinate Service."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

10.

Is it a fact that the average age of officers in clauses I to IV of the Subordinate Educational Service is at present much lower than what it was before the partition of Bengal, owing to the first appointment of young men (mostly lecturers and demonstrators) in the higher grades, and the number of retiring officers in the higher grades, in proportion to the total strength of the service, becoming gradually less and less, and that as a result of this the promotion of officers in the lower grades remains blocked for a long time?

The Subordinate Educational Service.

Answer by the Hon'ble Mr. Goode:—

"As entries of age in the Subordinate Educational Service list were not made till 1915 it is not possible to state whether the average age is now much lower than what it was before the partition, but it is true that first appointments of young men to higher grades have been made in many cases. This is due to the fact that it has been necessary to recruit men with adequate qualifications from outside the grades to fill the posts of lecturers in colleges owing to extended affiliation. The whole question of grading and promotion will be looked into when the service is reorganised."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

11.

Are the Government aware that there is a widespread feeling of discontent among the teachers of Government high schools on account of the delay in the utilization of the grant of Rs. 3,09,876 for improving the staff and increasing the pay of teachers of Government high schools, and particularly for the deflection of nearly two years' grant for other purposes?

Improvement of the staff and increase of pay of teachers in Government High Schools.

Answer by the Hon'ble Mr. Goode:—

"The reply to the first part of the question is in the affirmative. There was no deflection of the amount earmarked for improving the staff and increasing the pay of Government high school teachers."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

12.

(a) Will the Government be pleased to state what progress, if any, has been made towards the reorganization of the Subordinate Educational Service and Lower Subordinate Educational Service, about which assurances were given by Sir S. P. Sinha (now Lord Sinha), in the Bengal Council of the 20th November, 1917?

Reorganization of the Subordinate and Lower Subordinate Educational Service.

Questions and Answers.

(b) Is it a fact that a large number of officers in the Lower Subordinate Educational Service, and also outside the graded service, have submitted petitions for the increment of their pay and improvement of their prospects? If so, will the Government be pleased to state what action has been taken thereon? Can these officers expect any relief before the coming Pujas?

(c) Are the Government considering the desirability of granting bonuses to low-paid educational officers from the unutilized amount of the Rs. 9 lakhs Imperial grant for two years?

Answer by the Hon'ble Mr. Goode:—

“(a) As explained by Lord Sinha in the speech referred to, the pay and grades of the Subordinate Educational Service and Lower Subordinate Educational Service cannot be fixed until the pay of the Provincial Educational Service and the grades thereof are fixed. The question of the reorganisation of the higher services of the Education Department is now under the consideration of the Secretary of State in connection with the recommendations of the Public Services Commission. Till orders on this question are passed no scheme for the improvement of the Subordinate Educational Service and Lower Subordinate Educational Service can be elaborated.”

(b) Petitions from the clerks in the office of the Librarian, Bengal Library, and in that of the Director of Public Instruction, Bengal, praying for the grant of increments or allowances in view of the high prices at present prevailing, were submitted to Government. In view of the recent orders of Government passed by the Financial Department sanctioning war allowance to officers of Government drawing salaries of over Rs. 12 but not more than Rs. 50, no further concession is at present practicable.”

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

13.

With reference to the following extract from the West Quinquennial Report on education in India, namely:—

“Except for the grant of local allowances to Head Masters and Head Mistresses and to Assistant Head Masters and Assistant Head Mistresses mentioned in paragraph 21 above, the quinquennium has seen no improvement in the lot of the teachers in Government schools. A revised scheme for the improvement of secondary education in the Presidency of Bengal was submitted to the Government of India in August, 1916. This was merely an amalgamation and adaptation of the proposals which were submitted in 1908 to the Government of India at their request by the Government of Bengal and the Government of Eastern Bengal and Assam.”

Will the Government be pleased to lay on the table the papers containing the “proposals” referred to above, and to state how far they have materialized?

Answer by the Hon'ble Mr. Goode:—

“Government regret they are unable to lay on the table the papers containing their latest proposals for the improvement of pay and prospects of secondary school teachers as the receipt of the Government of India's sanction is still awaited. This Government have asked that sanction should be given to these proposals with effect from the 1st April, 1919.”

Improvement
of the lot of
teachers in
Government
schools.

*Questions and Answers.***By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—**

14.

(a) Will the Government be pleased to state—

Admission of
students into
the Calcutta
Medical College.

(1) how many students applied for admission into the Calcutta Medical College this year and how many of them have been actually admitted?

(2) among the applicants admitted and those rejected how many were—

(i) B.Sc.'s with Honours;

(ii) B.Sc.'s;

(iii) I.Sc.'s, 1st Division;

(iv) I.Sc.'s, 2nd Division;

(v) I.Sc.'s, 3rd Division; and

(vi) I.A.'s?

(b) Is it a fact that a notice was hung up at the Calcutta Medical College this year that students appearing at the I.Sc. Examination held in 1919 would not be admitted and a post-card notice was actually issued to this effect to applicants who had appeared at the I.Sc. Examination, 1919?

(c) Is it a fact that notwithstanding such notice many of the applicants who have passed the I.Sc. Examination, even in the 3rd Division, have been admitted?

(d) Is it a fact that students of very inferior merit have been preferred to those possessing far superior educational qualifications?

(e) Is there any principle on which the selection of applicants for admission into the Medical College is based?

(f) What weight is given to educational qualifications?

Answer by the Hon'ble Mr. Payne:—

“(a)—

Applied.	Admitted
(i) 947	145
(ii) Admitted.	Rejected.

(i) 14 12

(At the time of selection no Honours list was available).

(ii) 38 58

(iii) 75 204

(iv) 17 166

(v) 1 19

(vi) I.A.'s, B.A.'s and I.Sc.'s of other provinces are not eligible for admission. Their number was 156.

(b) No. Such candidates were informed, as a matter of courtesy, that they had little chance of admission this session, as the results of the I.Sc. examination were not expected to be published before the first week of July.

(c) No. Only one candidate in the third division, who had passed with the triple combination of Physics, Chemistry and Botany was admitted.

(d), (e) and (f) The Hon'ble Member is referred to the statement which will be made in reply to the resolution dealing with the same subject to be moved by the Hon'ble Babu Bhabendra Chandra Ray.”

*Questions and Answers.***By the Hon'ble Babu Akhil Chandra Datta:—****15.**Number of
internees set at
liberty.

Will the Government be pleased to state the number of internees who have been set at liberty during the last twelve months and the number of those who are still under detention?

Answer by the Hon'ble Mr. Kerr:—

"The number of persons interned under the Defence of India Act, who have been released from its restrictions during the twelve months commencing from the 1st August, 1918, is 423. The number of persons detained under the Defence of India Act on the 31st July, 1919, including those in home domicile, is 342. Of these 119 have been ordered to be released as soon as they have furnished the usual security."

By the Hon'ble Babu Akhil Chandra Datta:—**16.**Control of the
price of rice in
certain districts.

Are the Government considering the desirability of taking action under the Articles of Commerce Ordinance, 1914 (IX of 1914), read with the provisions of the Emergency Legislation Continuance Act, 1915 (I of 1915), for controlling the price of rice in the districts of Tippera, Chittagong and Noakhali?

Answer by the Hon'ble Mr. McAlpin:—

"The attention of all the local officers, including the District Officers of the three districts in question, has been drawn to the fact that action can be taken under the ordinance to authorise Collectors to take possession of stocks of rice, if there be ground of holding that such stocks are being unreasonably held from the markets, and certain districts have been subject to special attention. Government, however, are not prepared to announce the district in which further action under the ordinance may be taken."

By the Hon'ble Babu Bhabendra Chandra Ray:—**17.**Rice
consumption.

(a) Have the Government any idea as to the average quantity of rice and other food grains required under normal circumstances, for consumption per head of the population in Bengal, as compared with the quantity of food grains so required in the other provinces in India?

(b) What quantities of food grains per head of the population were actually available for consumption in Bengal during each of the last five years, as compared with the respective quantities so available in the other provinces during the corresponding periods?

Answer by the Hon'ble Mr. McAlpin:—

"(a) Government have no reason to suppose that the average quantity of food grains required for consumption per head in Bengal is either greater or less than the average quantity so required in other provinces. It has been estimated that one-fifth of a ton of food grains is required per head per annum for the population throughout India, including provision for seed grain and cattle; but there is ground for believing that this is an over-estimate.

(b) Government are not prepared to give an estimate of the quantities of food grains available per head during the last five years in the various provinces, since owing to the different degrees of accuracy attributable to the data upon which such estimates have to be based in each province the figures would be altogether misleading."

*Questions and Answers.***By the Hon'ble Babu Bhabendra Chandra Ray:—****18.**

(a) Was the decision of the Food-stuffs Commissioner, or the Government of India, to treat Bengal as a "surplus province" and to allow export of rice therefrom to the other provinces and foreign countries, arrived at in consultation with the Government of Bengal? Export of rice.

(b) If so, when was the said decision come to, and upon what expression of opinion on the part of the Local Government or the Director of Civil Supplies, Bengal?

(c) What were the materials before the Local Government or the Director of Civil Supplies when such consultation took place, to show that Bengal held surplus stocks of rice?

(d) Was any regard paid to the statistics of the last few years showing how the net supply of rice in Bengal per head of the population stood in comparison with the minimum requirement for consumption, and to the failure of the crops last year as also to the diminished imports of 1918-19?

(e) How often, and on what dates, since the above decision of the Food-stuffs Commissioner, have the Government of Bengal intimated to the Food-stuffs Commissioner their opinion on the rice position in Bengal?

(f) Did the Local Government in any of these communications advocate reduction in exports from Bengal? If so, on what dates?

Answer by the Hon'ble Mr. McAlpin:—

"(a), (b) and (c) The question assumes that on some definite date it was decided by the Government of India or the Foodstuffs Commissioner to treat Bengal as a surplus province. The Government of Bengal are not in a position to answer the question on behalf of the Government of India or the Foodstuffs Commissioner; but they understand that no definite date can be assigned to such a decision. On his appointment the Foodstuffs Commissioner found Bengal actually exporting rice and he proceeded to regulate those exports. The Government of Bengal were not formally consulted; but they submitted their views, when comment was necessary. It has already been explained in Council that as a result of the census of rice stocks held in November last and on a consideration of all the facts regarding the situation, Government were satisfied that Bengal could not be treated as a deficit Province.

(d) Yes.

(e) and (f) The Government of Bengal do not correspond officially with the Foodstuffs Commissioner. They have, however, on various occasions and in different ways, intimated their opinion to the Government of India and the Foodstuffs Commissioner; and, as the result of a representation made to the Government of India in May last, the allotments for export of rice from Bengal have been reduced progressively each month."

By the Hon'ble Babu Bhabendra Chandra Ray:—**19.**

(a) In what relation, in point of administrative control and supervision, does the Director of Civil Supplies stand towards the Local Government and the Food-stuffs Commissioner, respectively? Duties of the Director of Civil Supplies.

Questions and Answers.

(b) Is it the case that the Director of Civil Supplies has practically no function to discharge, even as an agent of the Food-stuffs Commissioner, in regard to the export of rice from Bengal?

(c) If not, what are his duties and powers in this behalf?

Answer by the Hon'ble Mr. McAlpin:—

"(a) The Director of Civil Supplies, Bengal, is under the direct orders of the Foodstuffs Commissioner in all that concerns (1) the working of the system for the control of the inter-provincial movements of foodstuffs and (2) the licensing of imports of rice from Burma, its wholesale prices in Calcutta, and its distribution among the various provinces. He is responsible to the Local Government as regards the control of movements of foodstuffs and other commodities within the province.

(b) and (c) It is not the case. His general duties as agent of the Foodstuffs Commissioner for the control over the export of rice from Bengal are—

- (1) to hold up certificates issued by the Director of Civil Supplies of any other province for quantities of rice in excess of the allotment made to that province;
- (2) to inform other Directors from what districts it is advisable or otherwise for them to draw supplies and watch that excessive demands are not concentrated upon any particular district at any one time;
- (3) to collect statistics as to the movements of rice within and from the province and investigate any cases in which it appears that uncertificated export has taken place; and
- (4) to watch the general position and report to the Foodstuffs Commissioner when any new restriction on export appears necessary.

On behalf of this Government—

- (a) to take steps to prevent competitive purchase by certificate-holders;
- (b) to discourage movements of rice within the province which appear to be intended to facilitate export to other provinces and which threaten to result in denuding particular areas; and
- (c) to watch the position on behalf of the Local Government and to keep the Local Government fully informed regarding the situation."

By the Hon'ble Babu Bhabendra Chandra Ray:—

20.

With reference to the statement made in answer to my unstarred question No. 46 (a) of the 3rd July last, to the effect that exports are controlled by the Food stuffs Commissioner, will the Government be pleased to state—

- (i) what local agency, if any, is there in Bengal through which the Commissioner exercises such control,
- (ii) on what advice, if at all, of the Local Government or other authorities is such control exercised,
- (iii) the exact nature of such control, and
- (iv) the practical effect of the same during the period of the last six months in Bengal?

Control over
the export of
rice.

*Questions and Answers.***Answer by the Hon'ble Mr. McAlpin:—**

"(i) Exports by rail to other provinces are controlled by the Foodstuffs Commissioner through the Director of Civil Supplies [*vide* the reply to the Hon'ble Member's question No. 19 (c)]. Exports by sea to other provinces or to foreign countries are, it is understood, controlled through the Collector of Customs.

(ii) and (iii) The Hon'ble Member is referred to the replies to his questions No. 18 and No. 19 (c).

(iv) The practical effect of the control has been to restrict exports materially and to steady prices within the province."

By the Hon'ble Babu Bhabendra Chandra Ray:—

21.

(a) What are the formalities which an exporter in Bengal has to observe before he can be allowed to actually export rice either to any foreign country, or to any province in India? Export of rice.

(b) At what stage, if at all, are the Local Government or any other local authority consulted before such export is permitted?

Answer by the Hon'ble Mr. McAlpin:—

"(a) As regards export by sea, it is understood that no person is allowed to export unless he obtains a license from the Collector of Customs.

As regards the export by rail of Bengal rice or uncontrolled Burma rice, his proper course is to arrange with some person in a province to which an allotment of rice has been made by the Foodstuffs Commissioner to obtain a priority certificate in which his name is entered as the consignor.

(b) This Government do not intervene at any stage in such cases. The Director of Civil Supplies is in a position to express an opinion when certificates issued by other Directors are received by him for countersignature."

By the Hon'ble Babu Bhabendra Chandra Ray:—

22.

(a) In the matter of inter-provincial movement of rice, what precise functions has the local Director of Civil Supplies to perform in regard to a priority certificate granted by an importing province? Export of rice.

(b) Has such certificate to be countersigned by the local Director?

(c) If so, is such countersignature given as a matter of course? If not, in what manner, and to what extent, is the local Director permitted to vary the certificate; and upon what considerations and facts generally is such variation made?

(d) On how many occasions, and to what extent on each such occasion, has the local Director exercised his powers of such variation, if any?

Answer by the Hon'ble Mr. McAlpin:—

"(a) and (b) The countersignature of the Director of Civil Supplies, Bengal is required to every such certificate issued by the Director of Civil Supplies in any other province.

(c) No; countersignature is not given as a matter of course. Certificates have never been altered by the Director of Civil Supplies in order to facilitate countersignature which would otherwise be refused: they are sometimes altered for other reasons at the request of, or by agreement with, the issuing

Questions and Answers.

Director of Civil Supplies on behalf of the latter, subject to considerations of the inconvenience which may thereby be caused to the railway authorities.

(d) This question cannot be answered without undue labour and expenditure."

By the Hon'ble Babu Bhabendra Chandra Ray:—

23.

Export of rice.

(a) Is the carrying capacity of the railways taken into consideration before exports of rice are permitted?

(b) Is it a fact that, within the province of Bengal, rice has remained accumulated at certain railway stations in large quantities for a considerable time, for want of adequate facilities of transport, and has thus been wasted to a great extent?

(c) Have the Government received any reports to this effect from any quarter at any time?

(d) If not, are the Government considering the desirability of making inquiries from all railway stations regarding this matter?

(e) Is there any truth in the statement that export has often been allowed under military permits for really non-military purposes and to destinations without any military stations.

Answer by the Hon'ble Mr. McAlpin:—

"(a) It is understood that the Foodstuffs Commissioner takes the carrying capacity of railways into account when he fixes the monthly allotment of rice to be exported from this province.

(b) It is a fact that rice has accumulated at certain stations as suggested for want of adequate facilities for uncontrolled transport; the whole of it could have been moved with ease under control if it had been considered advisable to allow certain areas to be drained of their stocks of rice by speculators. The risk that some of it might be spoilt was deliberately accepted.

(c) Yes.

(d) No.

(e) Government are aware that such allegations have been made; but are not in a position to state whether they are correct."

By the Hon'ble Babu Bhabendra Chandra Ray:—

24.

Licensed
importers of
Burma rice.

(a) Who are the licensed importers of Burma rice in Bengal?

(b) Is it a fact that only nominees of the district officers are permitted to import Burma rice from Calcutta and Chittagong into the *mufassal*?

(c) If so, will the Government be pleased to publish the names of all such nominees?

(d) How can such nomination be secured?

Answer by the Hon'ble Mr. McAlpin:—

"(a) The Bengal Government are not prepared to publish the names of the licensed importers.

(b) Uncontrolled Burma rice may be moved freely from Calcutta and Chittagong into districts in Bengal. Controlled Burma rice from Calcutta can only be obtained by nominees of district officers

Questions and Answers.

(c) Government are not prepared to publish the names of such nominees : they are of interest only in the districts concerned where the information is readily available to persons interested.

(d) Persons desiring nomination should apply to the local district or sub-divisional officer stating the amount required, and the general arrangements which they propose to make : they must be prepared to give adequate guarantees that they will sell at a price fixed by the district officer."

By the Hon'ble Babu Bhabendra Chandra Ray:—

25.

Will the Government be pleased to state the various rates at which Burma rice can be sold at the head-quarters of the different district towns in Bengal? Rates of Burma rice.

Answer by the Hon'ble Mr. McAlpin:—

"A reply will be given at the next meeting of Council."

By the Hon'ble Babu Bhabendra Chandra Ray:—

26.

Will the Government be pleased to make a statement showing how the recent census of rice-stock in Bengal was carried out, together with the results thereof? Census of rice-stock in Bengal.

Answer by the Hon'ble Mr. McAlpin:—

"A copy of the instructions of Government contained in their circular No. 1-T. R. of the 28th May, 1919, is laid on the table. The general result is that there need be little apprehension of any deficiency of stocks of rice in Bengal."

By the Hon'ble Babu Bhabendra Chandra Ray:—

27.

(a) With reference to the statement in a recent *Press Communiqué* denying that rice exported to foreign countries is utilized for non-food purposes, such as wine and starch, will the Government be pleased to state upon what materials has the said statement been made, so far as the case of export to Europe is concerned? Alleged export of rice for non-food purposes.

(b) Are the Government aware of the statement made in Mr. K. L. Dutt's report on the prices inquiry, that distillation and manufacture of starch are among the uses to which rice exported to Europe is put?

Answer by the Hon'ble Mr. McAlpin:—

"(a) The facts were verified by a reference to the Director of Statistics.

(b) Yes. The statement in Mr. K. L. Dutt's report, which refers to normal pre-war days and not to the present abnormal situation, runs as follows :—

'A considerable portion of the surplus of India, as a whole, is usually exported to Europe, where it is used for food and for the manufacture of spirits and starch, and has to compete with rice of other countries and with a number of other grains, namely, oats, rye and maize, and even with beet and potatoes'."

*Questions and Answers.***By the Hon'ble Rai Sri Nath Ray Bahadur:—****28.**

Establishment
of a waterways
division for the
Eastern Bengal
areas.

(a) Are the Government considering the desirability of establishing a waterways division for the Eastern Bengal areas, making Dacca the headquarters?

(b) If that is not immediately possible, are the Government considering the desirability of posting at least a Sub-Engineer at Dacca to continue the work of the improvement of rivers and *khals*, commenced by Rai S. N. Banerjee Bahadur.

Answer by the Hon'ble Mr. Cowley:—

"(a) and (b) The question has already been receiving the attention of the Local Government. Should any of the projects investigated by Rai Sailendra Nath Banerjee Bahadur mature, then the execution of the same will be entrusted either to the existing permanent staff of the Public Works Department or, should it be found necessary, to the staff of a special division created for the purpose. The maintenance of such projects will, it is hoped, form the nucleus of a permanent waterways division. In the circumstances the desirability of posting a Sub-Engineer, as is suggested, does not arise."

By the Hon'ble Rai Sri Nath Ray Bahadur:—**29.**

Construction
of a dam on
the proposed
new navigable
route from
Padma to
Dhaleswari.

Are the Government taking up the construction of an earthen dam preliminary to the dredging of the proposed new navigable route from Padma to Dhaleswari during the present financial year?

Answer by the Hon'ble Mr. Cowley:—

"The answer is in the negative."

By the Hon'ble Rai Sri Nath Ray Bahadur:—**30.**

Enhancement
of the parcel
rates of the
India General
Navigation and
River Steam
Navigation
Companies.

(a) Are the Government aware that of late the Steamer Companies, viz., India General Steam Navigation and River Steam Navigation, have greatly enhanced the parcel rates over their portion of the journey and that in consequence the charge between Calcutta and Dacca is Rs. 3-5 now in place of Rs. 2 formerly?

(b) Are the Government considering the desirability of taking such steps as may be necessary to relieve the hardships caused by the rise in rates?

Answer by the Hon'ble Mr. Cowley:—

"(a) The subjoined table compares the rates at present in force as compared with the previous rates:—

				PARCEL NOT EXCEEDING—			
				10 srs.	20 srs.	30 srs.	40 srs.
				Rs. A.	Rs. A.	Rs. A.	Rs. A.
<i>Previous to 1st June, 1919—</i>							
Calcutta to Dacca	...	...	...	0 8	1 0	1 8	2 0
<i>From 1st June 1919—</i>							
Rail—							
Calcutta to Goalundo and Narainganj to Dacca	...	...	...	0 8	1 0	1 4	1 12
Steamer—							
Goalundo to Narainganj	...	...	...	0 10	0 15	1 4	1 9
				1 2	1 15	2 8	3 5

Questions and Answers.

(b) The cost of transport and materials has increased considerably and Government do not think it necessary or desirable to take any action in the matter."

By the Hon'ble Rai Sri Nath Ray Bahadur:—

31.

(a) Are the Government aware that the people at Dacca are put to great inconvenience by the level crossing on the Nawabpur road being constantly closed due to shunting and passing of trains?

(b) Are the Government considering the desirability of removing this inconvenience either by constructing an overbridge or by any other way that the Government may think fit and proper?

Trouble caused to the public by the constant closing to traffic of the level crossing on the Nawabpur road, Dacca.

Answer by the Hon'ble Mr. Cowley:—

"(a) It is recognised that road traffic must be inconvenienced to some extent by the level crossing on the Nawabpur Road at Dacca and it has been ascertained that the Eastern Bengal Railway authorities are considering schemes for substituting an overbridge crossing.

(b) The site and design of an overbridge must, however, necessarily depend on the design adopted for the general remodelling of the station yard which the Railway authorities also have under consideration."

By the Hon'ble Rai Sri Nath Ray Bahadur:—

32.

(a) Are the Government aware—

(i) that the waiting-room for females of the third and intermediate class passengers at the Dacca railway station is very small;

(ii) that the female passengers are put to great inconvenience for want of proper accommodation and often are obliged to remain outside the room exposing themselves to the inclemency of the weather?

Inadequacy of the waiting-room for female passengers at Dacca railway station.

(b) Are the Government considering the desirability of remedying this evil either by constructing two separate rooms or by extending the existing one?

Answer by the Hon'ble Mr. Cowley:—

"(a) It is understood that the Eastern Bengal Railway authorities recognise that the present waiting-room accommodation provided for intermediate and third class female passengers in Dacca railway station is insufficient.

(b) A proposal is under consideration to convert the existing third class female waiting-room into a room for intermediate-class female passengers and to construct a new room having double the accommodation for the use of third class females."

By the Hon'ble Rai Mahendra Chandra Mitra Bahadur:—

33.

(a) Will the Government be pleased to state whether it has been definitely settled to remove the Bengal Secretariat Press from its present situation in Writers' Buildings?

Removal of the Bengal Secretariat Book Depot to Chetla.

Questions and Answers.

(b) If so, will the Government be pleased to state whether it is in contemplation to remove the Bengal Secretariat Book Depôt to Chetla along with the press?

(c) If the answer be in the affirmative, have the Government considered the serious inconvenience likely to be caused to the public by the removal of the Book Depôt from the heart of the metropolis to an out-of-the-way place in a suburb?

(d) Are the Government aware of the adverse effect on the cash sale of Government publications on account of such removal?

Answer by the Hon'ble Mr. Payne:—

“(a) Yes.

(b) Yes.

(c) and (d) It is not anticipated that any serious inconvenience will be caused to the public by the removal of the Book Depôt to Chetla. The cash sales amount on an average to Rs. 72 per day, and the average number of purchasers is about 17 a day. Government will, however, consider whether some arrangement is feasible under which no ground of complaint will be given.”

By the Hon'ble Rai Mahendra Chandra Mitra Bahadur:—

34.

Sale of certain publications of the Education Department.

(a) Will the Government be pleased to state when the “Rules and Orders of the Bengal Education Department” will be available for sale to the public?

(b) Will the Government be pleased to state why the Annual Reports of the following institutions, printed at the Bengal Secretariat Press, are not available for sale to the public:—

- (1) Hastings School, Alipore,
- (2) Medical College, Calcutta,
- (3) Presidency College and the attached schools, Calcutta,
- (4) Bethune College, Calcutta,
- (5) Sanskrit College, Calcutta, and
- (6) Hooghly College, Hooghly.

Answer by the Hon'ble Mr. Goode:—

“(a) The ‘rules and orders’ will be available for sale to the public by the end of this month.

(b) A limited number of copies of these reports have hitherto been printed partly because there is no demand for them and partly from motives of economy. In future a sufficient number will be printed and some copies will be kept in the Book Depôt for sale.”

By the Hon'ble Rai Mahendra Chandra Mitra Bahadur:—

35.

Practice of laying statements on the library table of the Bengal Legislative Council.

(a) Are the Government aware of the fact that the complete answers containing statements to unstarred questions, Nos. 35, 36 and 37, asked at the last meeting of the Council have not as yet been supplied to the questioner in spite of several reminders duly sent on the subject?

(b) If so, will the Government be pleased to state what steps they are taking in the matter?

Questions and Answers.

(c) Are the Government considering the advisability of—

- (i) laying such statements on the Council table in future and not placing them on the library table;
- (ii) publishing them in the Proceedings of the Council; and
- (iii) furnishing a printed or typed copy of the complete answer to an unstarred question, containing the statements, to the questioner on the very day of the Council meeting in accordance with the Council Rules?

Answer by the Hon'ble Mr. Kerr:—

“(a) and (b) The Hon'ble Member was supplied with copies of these statements on the 30th July, 1919. The reason for the delay was that the statements were very lengthy and took some time in printing.

(c) (i), (ii) and (iii) In view of the extra expense involved in printing lengthy and voluminous statements, it has been the settled practice of the Council for some time past ordinarily to lay on the table, and to print in the Proceedings of the Council, only such statements as are of reasonable length.

When the answer to a question refers to lengthy reports or *communiqués* which have already been published in some form or other, the Hon'ble Member is usually furnished with a copy thereof, and copies are also placed on the library table and in the Press Room in Writers' Buildings.

In the case of lengthy reports, which are only of interest to a limited number of persons, the practice is to show the Hon'ble Member concerned the statement in original, and to place a copy on the library table. This was done in the present case on the day of the Council meeting.

There is precedent in other Councils for the practice set out above, and His Excellency the President sees no reason for making a change.”

By the Hon'ble Maulvi A. K. Fazl-ul-Haq:—

36.

Will the Government be pleased to state the percentage of appointments reserved for the different communities in the upper division of the Bengal Secretariat?

Percentage of appointments reserved for the different communities in the upper divisions of the Bengal Secretariat.

Answer by the Hon'ble Mr. Payne:—

“The Hon'ble Member is referred to rule 21 of the Rules for the Regulation of Appointment in the Clerical Service of the Secretariat of the Government of Bengal, a copy of which is laid on the library table.”

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

37.

(a) Will the Government be pleased to lay on the table a statement giving the names of estates under the Court of Wards and Government management in which the audit is made by private parties and not by examiners of local accounts?

Estates under Court of Wards and Government management.

(b) Do the private parties employed for such auditing submit their reports direct to the Government?

(c) Do they also examine, as is done by examiners of local accounts, a certain proportion of the *mufassal tahsil* accounts?

*Questions and Answers.***Answer by the Hon'ble Mr. McAlpin:—**

"(a) In the estate of the family of the Nawab of Dacca, in which only some shares are managed by the Court of Wards.

(b) No.

(c) No."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

38.

Extensions of service to clerks in the office of the Director of Public Instruction.

(a) Will the Government be pleased to state the names of such clerks in the office of the Director of Public Instruction as have been granted extensions of service, together with the number of such extensions granted to each, and the circumstances under which each of these extensions was granted?

(b) What are the academical qualifications of each of these officers and the nature of the duties performed by each?

(c) If it is a fact that these clerks are indispensable to the office, are other clerks in the office being trained in their work so that they may be able to take up their duties with a view to avoid further extensions being granted to the aforesaid officers?

Answer by the Hon'ble Mr. Goode:—

"(a) and (b) A statement is laid on the table.

(c) No question of indispensability arises; their extensions have been granted under the Civil Service Regulations on the ground that their retention in service was in the public interest."

Statement referred to in the answer by the Hon'ble Mr. Goode to Question No. 38 asked by the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI at the Council Meeting of the 12th August, 1919, showing the names, academical qualifications, etc., of the assistants in the office of the Director of Public Instruction, Bengal, who have been granted extensions of service.

NAME.	Academical qualification.	Pay.	Number of extensions granted.	Circumstances in which each extension was granted.	Nature of duties.
		Rs.			
1. Rai Sahib Surendra Nath Sinha.	B.A. ...	250—10—300 (Sub. pro tem. on 300—40—500.)	Three	The officer was efficient and granted extensions in accordance with clause (a) of article 495 of the Civil Service Regulations.	Sub. pro tem. Personal Assistant to the Director of Public Instruction.
2. Mr. L. M. Martyr	.....	250—10—300 (Sub. pro tem.)	Four ...	Ditto ...	Assists the Personal Assistant in controlling the office staff, etc.
3. Babu Abinash Chandra Mallik.	.....	175 (Sub. pro tem.)	Three	Ditto ...	Cashier and Accountant.

Questions and Answers.

By the Hon'ble Babu Akhil Chandra Datta:—

39.

(a) Is it a fact that one Kailas Chandra Namasudra, of village Bayek, police-station Nabinagar, in the district of Tippera, died of starvation on the 18th May, 1919? Suspension of a chaukidar.

(b) Is it a fact that the village chaukidar, Raj Kumar Dey, of the Bayek Union No. II. reported officially, in the ordinary course of his duties, that the death was the result of starvation?

(c) Is it a fact that the said chaukidar has since been suspended?

(d) Is it a fact that he has been suspended for stating in his report that the said death was due to starvation? If so, who is responsible for this order of suspension?

(e) Are the Government considering the desirability of making a full inquiry into the matter and of publishing the result of the inquiry?

Answer by the Hon'ble Mr. McAlpin:—

“(a) It is not a fact.

(b) Yes.

(c) Yes.

(d) The chaukidar was suspended by the subdivisional officer of Brahmanbaria for making a false report. The chaukidar admitted to the subdivisional officer that he knew that his information was false and that he made it at the instigation of some villagers; also that the death was caused by a prolonged attack of fever.

(e) A full inquiry has already been made by two sub-deputy collectors and the subdivisional officer with the result given above.”

SUPPLEMENTARY QUESTION.

The following supplementary question was asked by the **Hon'ble Babu Akhil Chandra Datta:—**

Is it a fact that the chaukidar submitted a representation to the District Magistrate in which he adheres to his former statements, viz., that the man died of starvation; that he had actually been going without food for some days prior to his death?

Answer by the Hon'ble Mr. J. G. Cumming:—

I must ask for notice of that question in order to verify the allegations made by the Hon'ble Member.

By the Hon'ble Babu Bhabendra Chandra Ray:—

40.

(a) Will the Government be pleased to make a statement showing district by district, the number of— Alleged deaths from starvation.

(i) alleged deaths from starvation,

(ii) alleged deaths from diseases directly brought on by starvation, and

(iii) alleged suicides on account of the present distress,

that have been reported in the press, or by private persons, the police, panchayat or otherwise, with particulars of each case separately?

Questions and Answers.

(b) When was the report of each such case first brought to the knowledge of the police, the subdivisional or district authorities, and the Government, respectively, and when and what inquiries were made into the circumstances of each case, by whom, and with what results?

(c) Are the Government aware of a Parliamentary Paper which is issued annually regarding deaths from starvation, or deaths accelerated by privation, in the United Kingdom?

(d) If so, are the Government considering the desirability of publishing a similar statement, every quarter or so, during the prevalence of distress?

(e) If not, what steps (if any) are the Government taking in order to give prompt publicity to these facts?

(f) With reference to the recent *Press Communiqué* on the subject of such alleged deaths, will the Government be pleased to lay on the table all papers regarding the inquiries made in each individual case?

Answer by the Hon'ble Mr. McAlpin:—

"(a) and (b) It is not possible to give the information required by the Hon'ble Member in the manner asked for by him. The following information is placed before the Council regarding certain of the cases noticed by Government in the press:—

(1) RANGPUR DISTRICT—*Alleged death by suicide on account of starvation of one Okimon Mai, wife of one Barika Sheikh of Hitampur, police-station Mithapukur.*—Barika Sheikh is a labourer. On the 14th June 1919 he brought home a jack fruit and gave it to his wife to serve him with at the time of breaking his *roja*. The fruit was carried away by a jackal. On account of this her husband, who it appears, was unkind to her, abused her. She took the abuse to heart and committed suicide by hanging herself with a rope.

(2) BAKARGANJ DISTRICT—(i) *Alleged suicide from hunger by one Anaraddi of Salia, police-station Banaripara.*—This man committed suicide to escape disgrace and a criminal prosecution for misappropriating the proceeds obtained from the sale of a bullock.

(ii) *Alleged death from starvation of a son of one Mafezuddi of Dosatina, police-station Jhalakati.*—This child, aged 4 years, died of fever attended with diarrhoea.

(iii) *Alleged death by suicide by hanging of a Moslem couple of Darpara owing to hunger.*—No one in the village has committed suicide for many months past. The panchayat of the village denies the allegation *in toto*.

(3) DACCA DISTRICT—*Alleged death from starvation of one Lal Mohan Rishi, of Pangaon, at Wari, Dacca.*—The man was a beggar. It is reported that he died of diarrhoea contracted through eating jack fruit.

(4) MYMENSINGH DISTRICT—*Alleged deaths from starvation in Astagram.*—Four such deaths were reported by chaukidars. The subdivisional officer of Kishoreganj made personal inquiries and found that three died from fever and the fourth from small-pox.

(5) BIRBHUM DISTRICT—*Alleged deaths from starvation.*—Inquiries have been made throughout the district, and so far as can be ascertained there have been no deaths from starvation in the district.

(6) NADIA DISTRICT—(i) *Alleged death from starvation of one Bidhu Muchini of village Ghurni.*—She was an old leper, aged about 60 years. She had been suffering for several years past. She died of leprosy. It is reported that her death could not be due to starvation as she was the recipient of public charity till the end.

Questions and Answers.

(ii) *Alleged death from starvation of one Maji Sheikh of village Shonda.*—This man was a carpenter by profession and was addicted to opium and *chandu* smoking. For some time past he had been suffering from fever and dysentery and died of it.

(iii) *Alleged death from starvation of one Pakri Sheikh of village Shonda.*—No trace could be found of anybody of this name in the village and no one of that name died there recently.

(c) Yes.

(d) Government will have no objection to publishing, once a quarter, while the present high prices continue, a statement of deaths which have been ascertained to be due to starvation or to have been accelerated by privation.

(e) In view of the answer to (d) requires no reply.

(f) The Hon'ble Member is referred to the answer to (a) and (b)."

By the Hon'ble Babu Bhabendra Chandra Ray:—

41.

(a) Is it a fact that a security of Rs. 2,000 has been demanded under the Press Act by the District Magistrate of Dacca from the present printer and publisher of the *East* newspaper and keeper of the East Bengal Press where the said newspaper is printed?

Demand of security from the newspaper, the *East*.

(b) If so, will the Government be pleased to state the circumstances in which the above demand has been made?

(c) When was the *East* established, what is the present number of its subscribers, what is approximately the value of the assets of the paper and the printing press, and were these particulars taken into consideration before the aforesaid order was made? Were the conductors heard by the District Magistrate before he issued the said order?

(d) Has any application been made to the authorities against the said order; if so, with what result?

Answer by the Hon'ble Mr. Kerr:—

"(a) and (b) The paper has recently changed hands, and it consequently became necessary for the new keeper of the press and the new publisher to make declarations under sections 4 and 5 of the Press and Registration of Books Act, 1867. The keeper of the press and the publisher thereupon became liable to deposit security under sections 3 (1) and 8 (1) of the Indian Press Act, 1910, and the District Magistrate of Dacca, seeing no reason for exemption, fixed the amount at Rs. 1,000 in the case of each.

(c) The date of the establishment of the paper is not known, but it was before the passing of the Press Act. It is reported that there are at present 62 subscribers. The District Magistrate, before passing orders granted an interview to the person chiefly associated with the new management of the paper. No information is available regarding the other particulars mentioned in the question.

(d) No such application has been received either by the District Magistrate or by Government."

*Questions and Answers.***By the Hon'ble Rai Sri Nath Ray Bahadur:—****42.**

Steamers
running without
lights at night
on certain
routes.

(a) Are the Government aware that the steamers of the following lines are often run in the night without proper lights in the rooms allotted to the different classes of passengers, namely:—

(i) the line of steamers running from Dacca to Manikganj and from there to Elashin; and

(ii) the line of steamers running from Tarpasa to Madaripur and from there in various directions, including Barisal.

(b) Are the Government considering the desirability of holding an inquiry into the matter and, if necessary, of issuing instructions to the Steamer Company to make the necessary improvement?

Answer by the Hon'ble Mr. Cowley:—

“(a) Only sufficient deck lights are provided for passengers to see their way about the after-decks, companion ways and alley ways. Passengers occupying cabins are entitled to a light and any failure to provide such a light would be taken up at once, if reported to any of the Companies' officers. While vessels are under-way no lights are allowed on the forward-deck as this would be prejudicial to safe navigation.

(b) Government do not consider it necessary to hold any inquiry into the matter.”

By the Hon'ble Babu Bhabendra Chandra Ray:—**43.**

Primary
education in
municipal
areas.

(a) Are the Government aware of the decision of the Government of Bombay to contribute half the total actual cost, per annum, of primary education, whether voluntary or compulsory, in municipal areas?

(b) Are the Government considering the desirability of making more liberal grants in the case of those municipalities which may desire to introduce compulsion but are prevented from doing so in consequence of financial difficulty?

(c) Are the Government aware of the programme of the Government of Bombay to provide, during the current year, about 500 schools in villages which have a population of one thousand and over and which were till recently without any school, and about one hundred more schools in villages having a population of 500 and above, which also had no schools?

Answer by the Hon'ble Mr. Goode:—

“(a) Under the rules framed by the Government of Bombay, under the Bombay Primary Education Act 1 of 1918, that Government is to bear one-half of the actual expenditure incurred by a municipality for providing free and compulsory primary education in a given year except in special cases where Government may decide to make larger grants.

(b) Commissioners of Divisions and the Chairman of the Calcutta Corporation have been asked to submit returns and programmes for providing primary education for all children aged 6 to 11 likely to attend voluntarily, also for all boys between the ages 6 to 10 together with an estimate of cost for each of these programmes and a statement of the methods by which the cost can be met. The question of making grants to municipalities, who may

Questions and Answers.

desire to introduce compulsion but are prevented from doing so in consequence of financial difficulties, will be considered on receipt of these statements. Under section 17 of the Primary Education Act the municipal commissioners may levy an educational cess with the sanction of Government if the combined contributions from Government and the municipality are not sufficient to cover the expenses.

(c) Government have no information, but inquiries are being made."

By the Hon'ble Babu Bhabendra Chandra Ray:—

44.

(a) Has the attention of Government been drawn to a recent case in the Calcutta Police Court in which two employees of the Indian Subordinate Medical Department attached to the Indian Station Hospital at Alipore were prosecuted at the instance of Rajendra Prasad Barma of the Mochipara thana for an alleged incident of the 4th March last?

Prosecution of two employees of the Indian Station Hospital at Alipore.

(b) If so, will the Government be pleased to state the facts and circumstances of the case?

Answer by the Hon'ble Mr. Kerr:—

"(a) and (b) The two persons referred to were arrested in Bow Bazar Street at midnight on the 4th March on a charge of being drunk and disorderly, and quarrelling with a woman of the town. They were released on their own recognisances, and were eventually acquitted by the Magistrate. They subsequently represented that they had gone to the Mochipara police section to telephone for an ambulance to remove a cholera case, and that they had been abused and ill-treated by the sub-inspector and compelled by threats to sign a blank paper. An article relating to the case also appeared in a vernacular newspaper, in which it was alleged that the sub-inspector was in the habit of drinking. An inquiry has been held by the Deputy Commissioner of Police in charge of the South District, who found that there was no reason to believe that the sub-inspector was drunk, and that the evidence regarding ill-treatment was discrepant and unreliable. He thought it was probable that one or both of the men was under the influence of liquor, but that the arrest was unnecessary as they were not incapable of taking care of themselves. The Deputy Commissioner also found that one of the two men had actually used the telephone before his arrest. The sub-inspector has been censured for making an unnecessary arrest in a petty case and for having submitted an inaccurate report regarding the arrest."

By the Hon'ble Maulvi A. K. Fazl-ul-Haq:—

45.

(a) Will the Government be pleased to state the exact orders regarding the move of Under-Secretaries and the Officers of the different Departments of the Secretariat with His Excellency the Governor annually to Dacca and Darjeeling?

Move of Under-Secretaries and Officers of Government to Darjeeling and Dacca.

(b) Will the Government be pleased to state the period spent by each Under-Secretary at Darjeeling during the last three years and the period they were entitled to remain there under standing orders?

Answer by the Hon'ble Mr. Kerr:—

"(a) Under-Secretaries are permitted to be in Darjeeling for eight weeks in the year, while Government are in residence there, but the period may be extended with the sanction of Government when necessary in the

Questions and Answers.

interests of the work Under-Secretaries do not ordinarily accompany the Government to Dacca. Owing to the increase of urgent and confidential work since the outbreak of the war, the Political Under-Secretary has accompanied the Chief Secretary both to Darjeeling and to Dacca and has remained at those places during the whole of the Chief Secretary's stay there.

The Secretariat staff taken to Darjeeling and Dacca and the periods for which they remain at those places vary with the requirements of the work from time to time. The greater part of the staff remains in Calcutta throughout the year.

(b) A statement showing the period spent by each Under-Secretary at Darjeeling during the last three years is laid on the table."

Statement referred to in the answer by the Hon'ble MR. KERR to Question No. 45 asked by the Hon'ble MAULVI A. K. FAZL-UL-HAQ at the Council Meeting of the 12th August, 1919, showing the period spent at Darjeeling by the Under-Secretaries to the Government of Bengal, during the years 1916, 1917, 1918.

	Year.	Period of stay in days.
Under-Secretary, Judicial, Political and Appointment Departments	1916	120
	1917	131
	1918	120
Under-Secretary, General and Municipal Departments	1916	101
	1917	97
	1918	84
Under-Secretary, Financial Department	1916	67
	1917	80
	1918	30
Under-Secretary, Revenue Department	1916	32
	1917	72
	1918	49
Under-Secretary, Public Works Department (Roads and Buildings)	1916	Nil
	1917	Nil
	1918	Nil
Under-Secretary, Public Works Department (Irrigation)	1916	48
	1917	Nil
	1918	Nil
Additional Under-Secretary, Judicial, Political and Appointment Departments	1916	31
	1917	76
	1918	59

Questions and Answers.

By the Hon'ble Babu Bhabendra Chandra Ray:—

46.

What special precautions, and special steps for extending medical relief, have been or are contemplated to be taken in rural areas in view of the recrudesence of influenza? Extension of medical relief in rural areas.

Answer by the Hon'ble Mr. Goode:—

"The Government of India have recently addressed the Local Government on the subject of preparing to cope as far as possible with this disease, should there be any recrudesence of the epidemic upon a large scale this year. The following precautionary measures have been taken:—

- (1) A *communiqué* has been published in the press, regarding nasal douching as a personal prophylactic.
- (2) Civil Surgeons have been requested to furnish prompt information of any outbreak.
- (3) A memorandum suggesting preventive measures against the disease has been sent to all local bodies, who have also been asked to take immediate steps to organise a plan of campaign.
- (4) Civil Surgeons have been asked to take steps to supplement staff and equipment where necessary—in particular by preparing lists of private practitioners, who would be available and willing to accept service, if required.
- (5) 5,000 doses of influenza vaccine have been obtained and 10,000 more have been indented for."

By the Hon'ble Rai Sri Nath Ray Bahadur:—

47.

(a) Will the Government be pleased to state the maximum number of students admitted into the first year classes of the Dacca College during the time Mr. Archbold was the Principal? Admission of students into the Dacca College.

(b) Will the Government be pleased to state whether there was a reduction from that number in the year 1918 and a further reduction this year?

(c) If so, will the Government be pleased to state the numbers admitted during these two years?

(d) Will the Government be pleased to state whether there has been a reduction in the staff of Professors in the Dacca College from what it was during the time of Mr. Archbold?

(e) What is it now?

(f) If there has been no reduction in the staff, will the Government be pleased to state the reason for the reduction (if any) in the number of students admitted into the first year classes of the Dacca College?

Questions and Answers.

(g) Will the Government be pleased to state whether this year and last year many combinations have been abolished, in spite of the fact that there has been no reduction in the staff of Professors on those subjects?

(h) If so, will the Government be pleased to state the reasons for their abolition?

Answer by the Hon'ble Mr. Goode:—

“(a) The maximum number of students admitted to the first year class in the time of Mr. Archbold was 233. This was in 1917, which was an exceptional year. In the previous year only 204 were admitted and in 1914 only 202.

(b) and (c) The numbers admitted in 1918 and 1919 were 196 and 191, respectively.

(d) and (e) There has been no reduction in staff.

(f) By the abolition of the Arts courses with Chemistry the first year class has fallen into two distinct divisions of Arts and Science students. The latter all study Physics, for which there is laboratory accommodation for only 60 students. The maximum number of students in the first year class has, therefore, been fixed at 180, 100 reading for the Intermediate Examination in Arts and 80 reading for the Intermediate Examination in Science.

(g) In 1918 certain courses were removed from the list of those admissible to students at Dacca College.

(h) On general educational grounds it was considered by the Principal, with the advice of the staff, to be inexpedient to allow students who had no interest in Science to take up Chemistry for the Intermediate Examination without any other Science subject and with the sole object of securing a higher aggregate of marks in the Examination. The discontinuance of the courses has also had the very desirable effect of simplifying the time-table and thus reducing the time spent in the College by students in waiting between lectures.

By the Hon'ble Babu Akhil Chandra Datta:—

48.

The climate
of Comilla.

(a) Are the Government aware that the climate of Comilla has deteriorated very considerably during the last five years and that it is steadily deteriorating from year to year?

(b) Are the Government aware of the opinion that has been expressed that the introduction of water-works is essentially necessary to improve the sanitation of the town?

(c) Are the Government considering the desirability of making an inquiry as to what steps are necessary to retain the old sanitary condition of the town?

Answer by the Hon'ble Mr. Goode:—

“(a) The statistics available do not support the view that the health of Comilla has deteriorated very considerably during the last five years. In

Questions and Answers.

spite of the outbreak of influenza in 1918 there was an increase of little more than 1,000 admissions at the dispensary and the recorded death-rate for the year was less than half that of the town population of Bengal taken as a whole.

(b) Yes.

(c) No."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

49.

(a) Are the Government aware of a memorial, dated the 13th May, 1919, addressed to the Conservator of Forests, Bengal, by certain forest contractors and *sardars* of Darjeeling regarding the circumstances in which the monopoly of the charcoal supply in Darjeeling has been given to one Mr. Freer, and containing grave allegations against Mr. Baker, Deputy Conservator of Forests? Charcoal supply in Darjeeling.

(b) If so, will the Government be pleased to state what inquiries, if any, have been made into the said allegations and the result thereof?

Answer by the Hon'ble Mr. McAlpin:—

"(a) Yes.

(b) Inquiries have been made through the Conservator of Forests; and Mr. Baker has been given permission to prosecute the memorialists for the defamatory statements contained in the petition."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

50.

In regard to the question of the spread of education among women, will the Government be pleased to state whether any attempt was made to recruit female teachers for girls and women from the orthodox Hindu community? Spread of education among women.
If so, when were these steps taken, and with what result?

Answer by the Hon'ble Mr. Goode:—

"In 1908 a training school for Hindu widows was started in Calcutta. Sixteen stipends of Rs. 10 each are awarded annually at this school and there is a proposal for increasing the number. Orthodox Hindus were at first very reluctant to enter this school, but it is reported that this reluctance is rapidly disappearing. There is also a training class attached to the Eden High School for girls, which is at present attended by 6 students of the orthodox Hindu community. Since 1910, 19 orthodox Hindu teachers have passed out of this class and 15 others had partial training. The difficulty has been that such orthodox Hindu teachers as come for training are generally not qualified for admission into the class. If young enough they are admitted into high school classes until they have reached the requisite standard for training.

Questions and Answers.

Inspectresses of schools insist upon the employment of trained teachers when such are available, and it is reported that no trained teacher has any difficulty in securing employment."

By the Hon'ble Babu Bhabendra Chandra Ray:—

51.

The case of
sub-inspector,
Dakshina
Ranjan Ghosh.

(a) Has the attention of Government been drawn to a suit in the court of the Munsif of Jamalpur (Mymensingh) in which a Marwari trader has recently succeeded in recovering, together with damages, an amount from sub-inspector Dakshina Ranjan Ghosh, which the former had to pay to the latter as the price for his release from arrest in connection with a criminal case in which another Marwari bearing the same name was 'wanted'?

(b) If so, will the Government be pleased to state the circumstances of the said suit, together with the findings arrived at by the Munsif, and whether any departmental action is contemplated to be taken against the said sub-inspector?

Answer by the Hon'ble Mr. Kerr:—

"(a) Yes.

(b) A copy of the Munsif's judgment is placed on the library table. The defendant sub-inspector has appealed against the decision. The question of departmental action will be considered after the appeal is disposed of."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

52.

Medical
inspection of
school children.

(a) In view of the good results obtained by medical inspection of school children in the Punjab, Bombay, Bihar and Orissa, and Assam, as stated in the Bureau of Education's publication on Indian education in 1917-18, page 7, are the Government considering the desirability of introducing a system of medical inspection of school children in Bengal?

(b) How many first-aid classes are there in the high schools of the Presidency?

Answer by the Hon'ble Mr. Goode:—

"(a) The Government of India have been addressed for the creation of a post of Deputy Sanitary Commissioner as an experimental measure for five years to inspect school buildings and hostels from the sanitary and hygienic point of view. He will also be in charge of the medical inspection of school children, make special studies of the diseases to which children are particularly liable and suggest suitable measures for their prevention.

(b) There are 18 such classes in the high schools of the Presidency at the moment. Classes in other schools are being started."

*The Calcutta Cruelty to Animals Bill, 1919.**Sir Henry Wheeler.***LIST OF BUSINESS—ITEM No. 3.****THE CALCUTTA CRUELTY TO ANIMALS BILL, 1919.**

The Hon'ble Sir Henry Wheeler moved for leave to introduce a Bill to consolidate and amend the law relating to cruelty to animals in Calcutta.

He said :—

“My Lord, the object of this Bill will probably command the approval of all of us and I, therefore, merely propose to indicate briefly how it was that this legislation has come to be undertaken, and to draw attention to the more important changes which the measure will effect.

Legislation on the subject of cruelty to animals is, of course, not a new thing. In fact, it is of sufficient age to have got into somewhat of a tangle, and at the present moment in Bengal the matter is regulated by five Acts, three of the Bengal Council and two of the Government of India Council, the oldest of which dates back to 1869. In consequence, there is a certain amount of over-lapping, there is the difficulty of reference to more than one measure, and there are possible difficulties of interpretation owing to the different wordings of the different Acts. That reason alone would have justified us in attempting the consolidation which the present Bill seeks to achieve, but it was not wholly or, in fact, primarily, on that account that this legislation was initiated. Its origin is to be sought about the year 1915, and it will be seen, therefore, that it has taken some time to elaborate it. About 1915 various remarks in reports, etc., gave rise to the impression that the administration of the Acts possibly left something to be desired, and that the effective control of cruelty might perhaps be improved. The Government of that date remitted the consideration of the matter to a small conference, over which the Hon'ble Mr. Justice Beachcroft presided, and on which there were several gentlemen interested in the subject, among them, I think, the Hon'ble Maulvi Fazl-ul-Haq. That conference held various meetings, and submitted a report, which dealt with some matters of administration, with which we are not now concerned, but also contained some definite recommendations for the amendment of the law. The principal of these were as follows. The committee thought that the law might be made more effective on the subject of overloading—the driving of animals with excessive loads—and they contemplated a system of weigh-bridge stations at various places to which carts could be taken, if suspected to be overloaded, and weighed; in the event of the load proving to be excessive it was suggested that the excess burden should be taken off the cart and kept until the owner came and took it away. The justification of the proposal is obvious; it is no relief to a wretched weary animal to send it along the rest of its journey with an excessive load.

Another recommendation had reference to the working of unfit animals, and the appointment was proposed of veterinary inspectors with power to send such animals to an infirmary to be detained there until the veterinary officer in charge was satisfied that the animal was fit to be discharged. For this, I think, the justification is equally clear; if an animal is to derive any good from being sent to an infirmary, it should be detained there until it is cured.

In the next proposal it was sought to make the liability of owners and contractors wider in respect of the driving of unfit animals and the working of overloaded animals, the implication being that these were the people who were, in fact, deriving pecuniary benefit from the act of cruelty.

Lastly, they desired to see the law on the subject of the objectionable practice of *phuka* made more stringent.

*The Calcutta Cruelty to Animals Bill, 1919.**Sir Henry Wheeler.*

These were their proposals, and after they had been discussed with the Society for the Prevention of Cruelty to Animals and various other authorities a Bill was drawn up. That Bill was again referred to the Society for the Prevention of Cruelty to Animals, to the Calcutta Corporation and to the European Association, which had taken an interest in the subject, and after their replies had been received and considered, the Bill was put into final form and ultimately went through the different stages of sanction by the Government of India and reference to the Secretary of State prior to its introduction to-day. That, Sir, is the history of the measure and although I have already mentioned its principal clauses I will run shortly through the detailed clauses themselves drawing attention to one or two points of interest.

In the first place, the Act will only apply immediately to Calcutta, although, hereafter, if need be, it may be extended to other areas.

In clause 5 which defines various kinds of cruelty, we propose two small changes, viz., to make it an offence to *keep* an animal in a position involving unnecessary pain or suffering, and, again, to declare the infliction of the suffering of thirst to be a form of cruelty.

Clause 6, as regards overloading, and clause 11, as regards the working of unfit animals, deal with the matter to which I have already referred, viz., the extended liability of traders, carriers and contractors, or those employed by them, for acts of cruelty done to animals belonging to them or in their use.

Clause 7 deals with the *phuka* process.

Then we come to a series of clauses—14, 16, 17, 18, 19, 20 and 21, in particular—which have reference to the system of weigh-bridges which I have outlined, and the taking of over-loaded carts to them; also the unloading of excess loads and the keeping of them at the weigh-bridge station until the owners remove them; while, incidentally, provision is made for the power to dispose of excess loads as unclaimed property under certain conditions. Clause 25 has reference to infirmaries and allows an animal to be kept there until it is declared fit for work.

Clause 26 is of importance, and gives power to direct the destruction of animals whose sufferings are so great as to justify that step, or if unfit for work owing to old age or incurable disease, while sub-clause (3) gives power to a police officer to kill an injured or a diseased animal on a certificate of a veterinary inspector. That follows an English statute, and it is a power which is both merciful and humane.

In clause 30 we have the usual rule making authority conferred, and in clause 31 a power of delegation is given to any person or local authority. Incidental to that, in clause 36, the right is given to local authorities of expending their funds on matters connected with the administration of the Act.

Those, Sir, are the main clauses of the Bill, and I think the justification for most of them is fairly clear on their face. The Bill I now seek permission to introduce will be circulated in the ordinary course, and we hope to get in opinions at the beginning of the cold weather when it will be referred to a Select Committee.

The motion was put and agreed to.

*Resolutions.**Rai M. C. Mitra Bahadur.***RESOLUTIONS***(under the rules for the discussion of matters of general public interest).***LIST OF BUSINESS—ITEM No. 4.**

The Hon'ble Rai Mahendra Chandra Mitra Bahadur moved the following resolution :—

This Council recommends to the Governor in Council that a qualified Indian be appointed as the Director of Agriculture for Bengal at an early opportunity.

He said :—

“My Lord, I have carefully gone through the resolution No. 631 T.—R., dated the 7th June, 1919, by Your Excellency's Government on the subject of ‘certain aspects of the Organization and Policy of the Agricultural Department in Bengal’, as published in the *Calcutta Gazette*, dated the 11th June last. I was present at the University Institute, Calcutta, on the 28th March, 1919, when Mr. G. S. Dutt, I.C.S., Collector of the District of Birbhum, delivered an instructive lecture based on practical experience on the subject of a ‘Practical Scheme of Agricultural Organization and Rural Reconstruction in Bengal’. The object of my moving this resolution is for the successful administration of the Agricultural Department. The question as to the selection of the proper man to fill up the post of the Director of Agriculture for Bengal, therefore, requires a very careful consideration of Your Excellency's Council. It has been rightly held by some eminent members of the Royal Commission on the Public Services in India that ‘Agricultural education in India cannot reach the highest stage of development until Indian agriculture has been thoroughly studied and surveyed by competent scientific experts’. As the Indian Civil Service does not connote any special training in Indian agriculture, a very large majority of the members of this service, excepting in the case of one or two Indians, are not trained experts in agriculture; but it is a matter of surprise that the Directorship of Agriculture was for a long time reserved for the European members of the Indian Civil Service. It is, however, a matter of satisfaction to note that the Indian Civil Service supplied a most useful body of public servants. The Indian Civil Service was mainly organized to supply higher officers in the executive and judicial departments of the State and the schedule to the Statute of 1861 clearly indicates the classes of posts to be specially reserved for the Indian Civil Service. It was in 1866, that is to say, just after the conclusion of the labours in connection with the Bengal and Orissa Famine Commission, that the policy of having a special department to watch over the interests of agriculture was first mooted. In 1870 Lord Mayo took up this matter chiefly in relation to the improvement of the supply of cotton from India and in 1871 the first Agricultural Department was created. In Lord Mayo's opinion the work of the new department was ‘to take cognizance of all matters affecting the practical improvement and development of the agricultural resources of the country’.

The Provincial Government that took early steps in the matter and rendered valuable assistance to the raiyats was that of the North-Western Provinces, where in 1875, Sir John Strachey, the then Lieutenant-Governor, strongly advocated the utilization of Court of Wards' Estates and Government *khass mahals* for purposes of investigation and the employment of them as ‘Model Farms’, and for finding out the real condition of the cultivating

*Resolutions.**Maulvi Abul Kasem.*

classes. His Honour took a keen personal interest in redressing the grievances of the raiyats and succeeded in improving their financial position and made them happier during his successful administration of the province. Under His Honour's careful supervision, the Director of Agriculture made local investigations in every district, personally collected accurate information as to the liability of each district to famine, made thorough inquiry into agricultural practices of raiyats in the different districts of the province as a preliminary to agricultural improvement, and thus, in every way he made agriculture the business of his life, and he considered its practical improvement the chief duty of his office.

The Department of Agriculture in a province like Bengal is one of the public services in which the unique advantages of employing indigenous agency, to the fullest possible extent, in preference to foreign elements, are now freely admitted. With the facilities for technical training at Pusa, it should be possible to meet all the requirements of the Department of Agriculture. The time has now come when Your Excellency's Government should carefully consider the question of appointing a qualified Indian as the Director of Agriculture for Bengal for the following amongst other reasons :—

The Director of Agriculture for Bengal will have to effect agricultural improvements in Indian soil, and, therefore, he must be a man who has devoted the best portion of his life to learn Indian, and not English agriculture, and this can never be taught at an institution like Cirencester, Downton or elsewhere. Merely going through an agricultural course of training, such as is provided at any of the institutions referred to above, with practical experience for a year or so in a European farm, does not constitute a man a practical agriculturist suitable for Bengal. Again, there are further difficulties regarding language as spoken by the raiyats and also in the matter of furlough and the consequent changes in tenure of the Director's office.

The arguments hitherto advanced in favour of the employment of European experts for the scientific development of Indian agriculture are not convincing and the experiment has conspicuously failed to meet the desired effect. He may have a knowledge of English agriculture which, if he desires to apply in the case of illiterate raiyats of Bengal, without carefully studying the existing practices and actual conditions of Indian agriculture in the various districts of the province, and also having regard to the market value of the agricultural produce and the economic condition of the raiyats, he will but repeat some of the gravest blunders which have made the people of Bengal doubt the possibility of improving Indian agriculture at all through European agency at the head of the administration where the Director's opinion is considered as the guiding principle of the Department.

With these few remarks, I move this resolution for the consideration of Your Excellency's Council."

The Hon'ble Maulvi Abul Kasem said :—

"My Lord, I yield to none either in my anxiety or my desire to see my countrymen occupying places of trust and honour and responsibility under the Government and being an agriculturist myself I, at any rate, take a good deal of interest in the agriculture of the country, but I regret to say that I cannot agree with the Hon'ble Mover of this resolution that an Indian, a qualified Indian, be appointed as Director of Agriculture at an early date. My reasons are, in the first place, we, the Indians of the liberal school, have always claimed a place of honour as a matter of right on the grounds of equality and we have always pleaded that there should be no distinction of race or colour, class or creed, when the question of the appointment of Indians

*Resolutions.**Mr. Cumming.*

comes up, and it will be inconsistent on our part to demand that the question of race or colour should be one of the items of qualification for any post under the Government. This is a minor matter. The real question is that the Department of Agriculture forms one of the most important departments of Government. Agriculture is primarily the chief mainstay of the people, and it should be fostered, developed and improved as much as possible. I am afraid that at the present moment agricultural education is practically *nil* in this country. The education of my countrymen in that branch has not been sufficient enough to make us demand that an Indian be appointed as a Director of Agriculture. My friend has said that English experts with their experience of foreign lands, as for instance, England, come and try to introduce scientific agriculture into this country and have failed. I do not know what experiments were made, but this much I can say, that it is generally wondered how European and American agriculturists can produce a larger quantity of crops from an area of land than we can do. We believe this system of scientific training and scientific agriculture which is in practice and in vogue in other countries is being looked into, and we are anxiously waiting for the day when such systems will be introduced in this country. Our education on these lines has not been sufficient, and as a consequence we are faced with famine every year. Of course, there are other causes for famine and scarcity in this country than the growth of agriculture, but if we can introduce scientific agricultural methods and improve upon them, then we shall be able to a great extent to remove distress and make famines rare in spite of the disadvantages under which the country is suffering. I, therefore, think, my Lord, that the question of the appointment of the Director of Agriculture should be left entirely to experienced experts who would be able to introduce what has been termed a 'scientific system of agriculture' in this country. But at the same time I hope and trust that Your Excellency's Government will devote much greater attention to this department than has been done in the past."

The Hon'ble Mr. Cumming said :—

"Your Excellency, the Hon'ble mover has given a general account of the history of the Agricultural Department; but I am sorry to say that in enunciating the principles which have governed our policy in that department, I do not think that he has stated them in their proper light, and indeed, much of what he has said in favour of his resolution is quite irrelevant to the immediate point at issue, viz., that an Indian should be appointed at an early date in place of a European. Now, what are the general principles which should apply to the appointment of a Director of Agriculture in any province, and in the second place, what are the considerations which exist with reference to the present incumbent in Bengal? As regards the general principles, the Secretary of State, about 13 years ago, in 1906, at the time when the Agricultural Department was in an inchoate state, laid down that members of the Indian Civil Service should be appointed for the initial organization of the department; but the Secretary of State looked forward to the time when the agricultural service would be able, like other services, to provide its own chief. A year later, in 1911, the *dictum* that officers of the Agricultural Department should receive a full opportunity of proving their fitness for the post was enunciated by the Government of India, and this *dictum* was emphasized by the Local Government in 1916 when Mr. Milligan, a member of the Imperial Agricultural Department, who had special experience, both in the Punjab and at Pusa, apart from his personal qualifications, was appointed to the post of Director of Agriculture in Bengal. Finally, in the report of the Public Services Commission to which the Hon'ble Mover has alluded, published in 1916, it was further stated that the object to be kept steadily in view was to reduce to a minimum the

*Resolutions.**Mr. Cumming.*

number of experts appointed in England and to train indigenous talent so as to enable the department to depend on its own resources for the recruitment of the agricultural staff in the higher branches.

Now, Sir, from what I have stated, two principles emerge: (1) that indigenous talent should be used to the utmost extent possible for the Imperial Agricultural Department, and (2) that that department should ultimately supply its own chief. The complete application of these two principles would obviously in time produce an Indian Director of Agriculture, which is the object which the Hon'ble Member himself has in view.

Now, as regards the particular circumstances relating to the appointment in Bengal, what are the facts? The facts are that Mr. Milligan, who, as I have said, was appointed first in 1916, after a series of officers of the Indian Civil Service, as Director, was compelled to take leave on account of ill health. At the time of the budget debate in April last I expressed the regret of Government that they were temporarily losing the services of this officer by reason of his ill health. Now, Mr. Milligan is still the permanent Director; and there is no intention at present of removing him from that post. It is hoped that he may return reinvigorated after a period of rest. I can scarcely think the Hon'ble Member desires that this officer should be ejected from the appointment. He has urged that European experts fail on account of their ignorance of the language, of the soil and of the conditions of agriculture in this country. I do not think that this attack can be made on the present incumbent. It is further alleged that the appointment of an expert has conspicuously failed. The other Hon'ble member who addressed the Council did not support him on that particular point, but I think I am justified in putting the following very brief statement before the Council in this connection. By the distribution of improved varieties of rice and jute, which are particularly due to the energies and administrative ability of Mr. Milligan, the province has already benefited to the extent of 40 lakhs of rupees owing to the improved value of the crops produced; and, if the present system which is in vogue is continued for a reasonably further period, it is anticipated that the net income of the cultivators of rice and jute in Bengal from this source alone will be increased by no less than 12 crores of rupees. Moreover, when it was suggested, or rather, when it was rumoured, that Mr. Milligan was likely to return from this province to the Imperial Department at Pusa, towards the end of 1917, several of the Indian non-official members of this Council inquired as to the truth of this rumour and as to the cause of Mr. Milligan's relinquishment of the post; and they at the same time expressed great disappointment at the prospect of losing an officer who had, in a short space of time, made himself fully acquainted with the agricultural needs of this Presidency. I put that fact against the allegation made by the Hon'ble member that the appointment of European experts has conspicuously failed. This view appeared in the shape of a resolution which was tabled for the meeting of the Council in January 1918 that measures be taken to place the services of this officer permanently at the disposal of this Government. The Hon'ble Mover who desired to move that resolution did not, however, proceed with it, as he said there was a difference of opinion on the subject. I take it that the difference of opinion is that which is represented to-day by the views of the Hon'ble Maulvi Abul Kasem and the Hon'ble mover. In the Budget debate of April last it will be remembered that I said that Mr. Milligan's appointment had been hailed with acclamation when it was made, and that I had heard golden opinions about his work from many quarters. I am in a position to say that the Agricultural Department in this Presidency has taken a large step forward within the last two years; and this is in a high degree due to the technical advice and administrative ability of the present permanent incumbent. These are the facts

*Resolutions.**Rai M. C. Mitra Bahadur.*

regarding the present incumbent. Then what of the future, regarding which I have stated that the result of the complete application of the several principles would be the appointment of an Indian Director of Agriculture? Regarding the future, when ultimately the question of a successor to Mr. Milligan becomes a live issue, it will—I doubt not, and I advise the Council that it should—be made by the selection of the best man available for the post irrespective of racial considerations. The Hon'ble Maulvi Abul Kasem has also stated that that is the principle which should govern at the present time an appointment of this nature. In this view, my Lord, I am not prepared to recommend to the Council to accept the Hon'ble Mover's resolution."

The Hon'ble Rai Mahendra Chandra Mitra Bahadur said :—

"My Lord, I have listened to the statements which have been made by the Hon'ble Mr. Cumming. The reason which persuaded me to come to the Council for the appointment of an Indian expert is simply this and nothing more than this—that an Indian being a native of the soil can understand agricultural business better than a foreigner. I am fully aware of the fact that Government are spending large sums of money for the improvement of agriculture and I am also aware of the fact that efforts are being made for the purpose of making the raiyats of this country happier, but, my Lord, we join issues here. Is the department so very successful as it ought to be under European agency? That is a matter for the consideration of the members of the Council. I am an Indian and, therefore, I have a partiality for Indians. I come forward simply on the ground that an Indian is expected to do something in this agricultural country. The principles which have been enunciated by the Hon'ble Mr. Cumming are principles which admit no doubt of consideration. On one side, it may be argued that here is an European agency who have got full scientific education and consequently such agency may be employed for the purpose of utilizing the principles of agriculture. On the other hand, it may be argued that the Indians who have been in the land since their birth know more of Indian agriculture than a foreigner is expected to do. In such circumstances, my Lord, it is for consideration whether these principles which have been enunciated by the Hon'ble Mr. Cumming can be engrafted now. I submit for the consideration of the Council that the arguments which I have put forward before the Council may not be lost sight of.

The Hon'ble Maulvi Abdul Kasem has said that he does not appreciate the arguments which I put forward. I respectfully differ from him. But the simple issue is whether a qualified Indian or in other words a qualified expert is expected to manage agricultural business in a better way than an European. I am grateful to the Hon'ble Mr. Cumming for telling me that in future this matter will be considered by Government. But I have put forward this resolution in the hope that it would be accepted by Government and that early steps may be taken for the appointment of an Indian as Director of Agriculture. If Your Excellency's Government consider that Indians are not fit to manage the agricultural business, and if they say that they are incompetent men by whose appointment agricultural business would suffer, I would respectfully ask, my Lord, who is practically managing the agricultural business now? If an inquiry is to be made—and the Hon'ble Mr. Cumming is fully aware of the fact—it will be found that it is Indian officers who are managing the agricultural business in this Presidency, and I, therefore, propose that the Head of the Department should be a practical Indian agriculturist.

With these submissions I press the resolution for the consideration of the Council."

The motion was then put and lost.

*Resolutions.**Maulvi A. K. Fazl-ul-Haq.***LIST OF BUSINESS—ITEM No. 5.**

The Hon'ble Maulvi A. K. Fazl-ul-Haq moved the following resolution :—

This Council recommends to the Governor in Council that a fully equipped Agricultural College, to be finally incorporated with the proposed Dacca University, be established at Dacca at once.

He said :—

“ My Lord, the questions raised by this recommendation are of such an important character that I do not think I need say more than a very few words in commending this resolution to the acceptance of Your Excellency's Government and this Council. This is the second occasion on which I have ventured to draw the attention of Your Excellency's Government to the fact that although there happens to be in the vicinity of Dacca an agricultural farm which has admittedly been carrying on experiments quite satisfactorily from the point of view even of an expert, no attempt has yet been made to co-ordinate the results of these experiments and to give the students who resort to this experimental farm for purposes of study and learning the art of agriculture, any further lectures or courses of study so far as that branch of the education is concerned. On the former occasion when this question was discussed in this Council I was told in so many words that the question of the establishment of an agricultural college at Dacca must be kept in abeyance till the whole question of the reform of the University of Calcutta had been threshed out by the University Commission and the recommendations of that Commission had been considered by Government. The report of the Commission is now out and I would venture to submit that the recommendations of this Commission themselves support very strongly the case for the establishment of an agricultural college at Dacca.

To begin with, I take the liberty to read a few sentences from the report of the Calcutta University Commission, Vol. III, Part I, Chapter XXV. I am reading from page 119 :—

‘ The supreme economic importance of agriculture in Bengal may be realized from the fact that out of a total population of 46 millions, 35 millions are dependent on it as a means of livelihood.

Yet at present there is not a single institution in the province giving agricultural education ; the term does not even figure in the last Quinquennial Review of Education in Bengal.’

The report goes on to say :—

‘ An agricultural conference was held in 1888 which urged the necessity of educating teachers of the required kind, and a Government resolution of the same year placed on the Agricultural and Educational Departments in every province the obligation to work out a practical scheme of agricultural education. * * * Among the conclusions of the resolution of 1897 were the following :—

The agricultural degrees, diplomas, or certificates should be placed upon the same footing as corresponding literary or science degrees, etc., in qualifying for admission to Government appointments, and more particularly those connected with land revenue administration.

That the diploma should eventually be compulsory in the case of certain appointments, *e.g.*, of agricultural teachers in training schools, assistants to the Director of Agriculture, etc.’

*Resolutions.**Maulvi A. K. Fazl-ul-Haq.*

In paragraph 6 at page 121 of the same report we read as follows :—

‘The Universities Commission of 1902 expressed the view that in a country like India, which is mainly agricultural, it would appear that agricultural teaching, both ordinary and superior, should be considered as essential. They considered that a higher course in agriculture should consist of practical and theoretical teaching in the sciences underlying or connected with scientific agriculture, accompanied by practical training on experimental farms, and that students who had completed a course of this kind in the colleges and passed an appropriate examination for a diploma at the end of their theoretical instruction should then be drafted on to a farm controlled by experts, and undergo subsequent training for a year or more in actual farm work.’

Then following on that resolution—there was a resolution of 1904—the Government of India in a despatch to the Secretary of State at the end of 1905 defined in greater detail their general policy of which the salient points have been summed up as follows :—

‘There was to be established in each important province an agricultural college and a research station, adequately equipped with laboratories and class rooms to which was to be attached a farm of suitable size.’

Then, my Lord, the Calcutta University Commission remarks :—

‘The policy sketched out in the preceding paragraphs has, for various reasons, not been carried out fully either in regard to the Imperial Institute at Pusa, or in any province, least of all in Bengal.’

The result has been that the new developments left Bengal entirely without any agricultural college, I take the liberty of reading a few more passages from the University Commission’s report. I read from page 127 :—

‘The classes at Sibpur were closed in 1909 in view of the decision to establish an agricultural college at Sabour in Bihar, then forming part of the province of Bengal. The Sabour College was not opened till 1910. But under the territorial readjustment of 1912 Sabour ceased to be within the limits of Bengal and the college is now under the control of the Department of Agriculture of Bihar and Orissa, although it continues to admit students from Bengal and is under the same management as when it was the agricultural college of Bengal. The proportion of the students admissible into the Sabour College annually from the provinces of Bengal, Bihar and Orissa, and Assam are 20, 17, and 3, respectively. The number of students from Bengal actually admitted in recent years have been as follows :—

1912-13	...	...	...	...	9
1913-14	...	...	...	...	2
1914-15	...	...	...	...	4
1915-16	...	...	...	...	9
1916-17	...	...	...	...	11
1917-18	...	...	...	...	4

A considerable proportion of the Bengal Sabour students are stated in recent years of the Bengal Department of Agriculture to have obtained Government appointments.’

Under the Patna University Act (1917), section 11, no Indian University other than Patna can admit any educational institution in the province of Bihar and Orissa to any privilege whatever, and under this provision, therefore, Universities of Bengal would be presumably debarred from recognizing any courses at Sabour as forming part of a course in agriculture.

*Resolutions.**Rai Sri Nath Ray Bahadur.*

My Lord, these quotations from the report of the Calcutta University Commission themselves make it manifest that so far as agricultural education is concerned we have not got within the limits of this Presidency any agricultural college or university, and supposing we are going to have a University at Dacca, it cannot claim the privilege of recognizing or conferring degrees on the students of Bengal who may resort to Sabour for purposes of study. So far as higher agricultural education is concerned, the students of Bengal find one of the avenues of education absolutely shut to themselves. In these circumstances it is only natural that the people of Bengal should insist that so far as this province is concerned, suitable arrangements for agricultural education should be made at an early date. The question then arises, if there is to be an agricultural college, where can that be most suitably located? We can think of Sibpur and its surroundings and we can think of Rangpur with its agricultural farms and we can also think of Dacca with an experimental farm at Manipur. So far as Sibpur is concerned I would say that for the western districts of the Presidency, *i.e.*, for the students who belong to the west of the Ganges there ought to be some sort of arrangement for giving higher agricultural education; but for the students coming from the eastern districts an agricultural college at Dacca should, I think, be of immense advantage to them. I have already submitted that the experimental farm at Manipur possesses natural advantages for the purpose of agricultural education and that there are thousands of acres of land around where experiments can be carried on with the utmost efficiency and utmost regard to the requirements of higher agricultural teaching. In these circumstances and with all these natural advantages at hand I submit to Your Excellency that it is high time that an agricultural college should at once be started at Dacca and in the near future when we hope to have the Dacca University the agricultural college can be incorporated with that University, which will give the Dacca University a high status among the Universities. With these few observations I would strongly commend this resolution to the acceptance of Your Excellency's Government."

The Hon'ble Rai Sri Nath Ray Bahadur said :—

"My Lord, I beg to support the resolution moved by my Hon'ble friend Maulvi Fazl-ul Haq. In the year 1917, I urged upon this Council the necessity of establishing an agricultural college and a medical college at Dacca, eventually to form part of the Dacca University. The then Member in charge said in reply that there was hardly any demand for an agricultural college here, as no zamindar responded to the call made upon them on this behalf. Since then I have consulted many zamindars, specially of the Mymensingh district. Though they agreed as to the usefulness of agricultural education, they did not like to avail themselves of such training. Their reluctance is due to want of any future prospect in the Government services, besides the zamindars have little or no land in their *khas* possession upon which to fall back for agricultural experiment. But the case is different with the *jotedars* and middle class men. The former will be directly benefited by agricultural training and for the latter it will open a new avenue. Owing to overcrowding of all learned professions the middle class people are in sore need of new departments in which they may try to earn their livelihood.

The Government have already started agricultural stores in every district and agricultural officers have been appointed. The time is not distant when every subdivision will require such an officer. Every district, nay, every subdivision, will welcome an experimental farm at its headquarters. An institution in Dacca will remove a great want for training qualified men to take up such works. The nearest agricultural institution is at Sabour in Bihar, a long way off, and also the separation of Bihar from Bengal has made it

*Resolutions.**Maulvi Khan Sahib Aman Ali; Sir D. P. Sarbadhikari.*

imperatively necessary to establish an agricultural institution in this province which is pre-eminently an agricultural province; and Dacca already possessing the headquarters of the Agricultural Department with its excellent farm is the fit place for such an institution.

Even in western civilized countries the agriculturists are loathe to adopt scientific methods, and for this reason the Governments there adopt all sorts of means to try experiments as near as possible to the agriculturists' fields. In India, where agriculture is thousands and thousands of years old, it is the more difficult to induce the cultivators to adopt modern scientific methods. It is, therefore, not to be surprised at if people from Bengal, specially from Eastern Bengal, do not go to an institution at Sabour far away from their homes. With the existing staff at Dacca, with a few additions, a less ambitious institution can be started without making any heavy outlay.

It is proposed to introduce agricultural subjects in the primary courses too. The demand for teachers with agricultural training will grow day by day. So, both for the recruitment of agricultural officers as well as teachers such an institution is required. But if, in view of immediate establishment of the proposed Medical College first in the Dacca University, which is no doubt a greater necessity, the idea of starting an agricultural institution be put off for some time, I would beg to suggest that a number of stipends be established to enable young men to avail themselves of the same for prosecuting their studies at Sabour or any other agricultural institution. If a few appointments are guaranteed in the beginning it is hoped that competent students will be forthcoming to go up for this purpose."

The Hon'ble Khan Sahib Maulvi Aman Ali said :—

"My Lord, though Eastern Bengal is an agricultural country, its present production is not equal to the requirements of the people and so some sort of scientific education in agriculture is very essential and the establishment of an agricultural college at Dacca which is the central place is most desirable. The Hon'ble Mover of the resolution has dealt with the matter in its various aspects and so I do not like to waste the time of the Council in any other way than merely giving my full support to the resolution."

The Hon'ble Sir Deba Prasad Sarbadhikari said :—

"My Lord, although I anticipate some practical difficulties I desire to give the principles of this resolution my whole-hearted support. There is commendable impetuosity of my Hon'ble friend, the mover, on the part to get everything done at once. But a serious difficulty—is that the recommendations of the Commission which in detail are awaiting the consideration of the Government and the educational authorities,—must take some time to digest. There would also be the difficulty of having the teaching recognized by degrees so long as Dacca has not its own University and Faculty of Commerce. The Government of India is not immediately giving its assent to the suggestions of the Calcutta University for the creation of an Industrial Faculty and it may be a question whether on the whole there may not be a Central Industrial Teaching organization with affiliated colleges in the different provinces. And then there is the paramount question of finance. My Lord, these are aspects of the case which no doubt the Hon'ble Member-in-charge will deal with and I need not labour them. For present purposes and for giving the support that I desire to give to the principles of this resolution, I desire to call attention to the recognition by the Universities Commission of the absolute and supreme need of adding importance to the agricultural side of University education. With regard to the principle

*Resolutions.**Sir D. P. Sarbadhikari.*

of those recommendations there can be no difference of opinion, though in attempting to give effect to them, Your Excellency's Government will have to consider in detail the administrative side of the question. I congratulate Your Excellency on the prospects of your being the Chancellor of two Universities—an honour which no ruler of an Indian province is likely to have soon, though the United Provinces have two Universities and may soon have a third. Though it may not be Your Excellency's fortune to be the Chancellor of more than two Universities, I hope the time is not distant when, with the pronouncement of the Universities Commission pursued to its legitimate conclusion, this province will have more than two Universities at no distant a date, for the country fully needs them. My Lord, even in the earlier days, when feeling ran high, I was always for Dacca having a University of its own and working out its own educational salvation. The educational enthusiasm of Dacca, of which I have abundant never ceasing evidence every time I am here, fully justifies its having the prominence that this resolution desires to give it pending the adoption of the Dacca University scheme. Even, I hope my friend from the West will not quarrel with me if, for the moment, I take upon myself to say that the Western districts will be content to let Dacca have the first place with regard to a proposal of this kind. We have our Medical College, we have the biggest Law College of the province, we have the Engineering College and I do not think the West will be so grasping as to want the agricultural college also when Dacca so badly wants developing.

The Hon'ble Maulvi Fazl-ul-Haq has referred us to the deliberation of 1888 and 1902. Ever since then we have been awaiting for our agricultural advancement, I can quite realize what the difficulties have been in the way of those who had the handling of that proposition. At Government expense, promising scholars were sent to England and came out fully equipped as agricultural experts, and, with their agricultural training, they enter the High Court and Arts Colleges or fill various posts in various branches of Your Excellency's Government, Judicial and Executive. This was an encouraging experiment, although not followed by encouraging results, for the field of practical work appeared to be limited. Government cannot, therefore, be blamed in making its pace too slow. But there have been later developments and impelled by force of public opinion it was my good fortune to bring forward before the University a comprehensive scheme for Agricultural, Industrial and Technological training. Although there was considerable initial opposition it finally died away and the Senate of the University whole-heartedly accepted my proposal and submitted them to the Government of India. The University Commission had been appointed, in the meantime, and the Government of India naturally said that, before dealing with the recommendations that have been sent up as a whole by the University, they will have to wait for the recommendation of the Commission. Those recommendations are, what I always anticipated, they could not help to be, and the views of the University have been supported by the Commission. There is nothing now in our way to give early effect to those recommendations, and when the time for that comes, I do hope that Dacca shall be the first choice. Its resources have been indicated—resources that may, to a certain extent, be present in the Western districts—but resources which are certainly not inferior to those of the Western districts. I hope, my Lord, some day the facilities for travelling to Dacca will be expedited—a resolution appears in the agenda paper on the table to-day for that purpose. When that comes the Western districts will not have much to complain of. Everybody cannot have an agricultural college or a medical college brought to the front door of his house and Western Bengal will gladly come to the East for a time for its agricultural training. In connection with this question and the proposals of the University for an agricultural scheme, although hardly arising out of this question, I desire to associate myself fully with what has fallen from the Hon'ble Mr. Cumming

*Resolutions.**Maulvi Abul Kasem.*

in reply to the Hon'ble Rai Mahendra Chandra Mitra Bahadur. At one time we viewed with dismay the likelihood of Mr. Milligan being transferred from the Province; and I was one of those who did not hesitate to give vent to that feeling. I hope Mr. Milligan will return soon with renewed vigour and take charge of his department and Your Excellency's Government will have at their disposal assistance which will be of the utmost importance in giving effect to this scheme. References have been made to Sabour and Pusa. I myself have not been able to realize why the number of students from Bengal has been so small there—the difficulty of having a suitable career may be one of the reasons. The difficulty of curriculum may be another. The Pusa Institute is essentially a Research Institute. In the college what we are thinking of, it ought to be something different, something more suited to the requirements of the province, something more suited to the openings and the careers at the end of the college training. We have to decide whether we want to train up agricultural experts or practical agriculturists or merely land stewards and Zamindari managers or potential members of the Agricultural Department. These are questions of more than detail which will have to be thought out very carefully. I am afraid therefore some time must elapse before the scheme can be materialized; but whenever that may be, I hope Dacca will have the preference. Some of our friends are good enough to show their partiality for Dacca by sending in resolutions without taking care to attend the Dacca Session of the Council for “luscious fields” elsewhere detain them. I do not doubt that Western Bengal representatives who have come will support this resolution in the proper spirit.”

The Hon'ble Maulvi Abul Kasem said :—

“My Lord, after all that has been said in regard to this resolution, I do not think I should be justified in detaining the Council by any lengthy remarks of my own. I would only like to say that we, the people of Western Bengal, desire it as much as my hon'ble friend, the mover, that an agricultural college should be established at Dacca. The conveniences for an agricultural college at Dacca are many and we will only be too glad to avail ourselves of the opportunity which would be afforded by that college for an agricultural training. I may say, Sir, that the Hon'ble Sir Deba Prasad Sarbadhikari anticipated difficulties in carrying out the scheme, but I anticipate a sympathetic reply from the Government. What I hope and trust is that Your Excellency's Government will take the matter up in earnest and try to expedite it and give a sympathetic consideration. As I have said before, the question of agriculture is a very important one. It has been remarked that the prospect of the students of the agricultural college does not seem to be very bright and attractive so that students would not come. I think that is not entirely correct, though not much wrong. The Collector of Birbhum, of whom reference has been made by the Hon'ble Rai Mahendra Chandra Mitra Bahadur has started a network of agricultural societies in his district and those societies are now trying to obtain expert opinion, paying fees, and if an agricultural college is established, the passed students from that college may, in addition to their being employed by the Government of the territorial magnet, also earn a decent livelihood by private practice. Formerly mining students used to appear though there could be no private practice for them so far as mining was concerned, but I know that two at least of our Indian Mining Engineers are commanding a good practice by giving expert opinion to Indian mine owners in my part of the province. So I do not think that there will be any difficulty in providing occupation for graduates of the agricultural college if it is formed. My Lord, notice has been given of two other resolutions for to-day's meeting—I understand they will not be taken up to-day—about removing the difficulties in the way of our students who have failed to gain admission into the colleges. Much of this difficulty will be removed

*Resolutions.**Mr. Cumming.*

if agricultural colleges are established in larger numbers. I think it is more important to have a larger number of agricultural, industrial and medical colleges than to have additional classes in our arts and science colleges, whether Government or private. No less an authority than Sir Profullya Chandra Roy has said that it is desirable that avenues of employment should be opened out for our young men through more professional and technical colleges. Before I sit down, I have only one remark to make. The Hon'ble Sir Deba Prasad Sarbadhikari has said that Western Bengal will be content if an agricultural college is established at Dacca, because it has its medical college and engineering college. I only wish to say that Western Bengal people hope and trust that in the near future Dacca will have a medical college of its own because the Calcutta Medical College cannot provide sufficient accommodation for the growing number of students and that Dacca will have its own engineering college too."

The Hon'ble Mr. Cumming said :—

"My Lord, the object of the Hon'ble Mover's resolution is to obtain facilities for higher agricultural education at Dacca. Government, I may say at once, are prepared to meet him in this respect; but, as I shall explain presently, on different lines from those advocated by him. The Hon'ble Maulvi has correctly said that the Bengal Government are now awaiting the report of the Calcutta University Commission. This report is in the hands of the public, and he has read out various extracts from the same. But I doubt if the Council have gathered from these extracts what are the salient principles underlying this subject.

The proposal of the Hon'ble Mover is the establishment of an agricultural college at Dacca to be finally incorporated with the proposed Dacca University. In connection with a proposal of this nature two sets of considerations have to be examined; first, the principles underlying the imparting of agricultural education of a University character in any province and, secondly, the particular considerations affecting Bengal.

First of all, as regards the principles underlying the institution of an agricultural college, the discussion has been, as the University Commission has pointed out, protracted and voluminous; but we need only consider the recommendations of general application which have been made within recent years. At the conference on agricultural education at Pusa in 1916 the issue was whether agricultural colleges should provide merely suitable candidates for service in the agricultural department or whether they should aim at providing a liberal and scientific education in agriculture which should be as complete as possible. The conference resolved that, while as an absolute proposition they were in favour of providing in agricultural colleges such a liberal education, they were not convinced that in the case of all the provincial colleges this was a practical ideal or one which local conditions rendered desirable. At a similar conference held in the succeeding year, 1917, at Simla, this view was modified to this extent that the local Governments should be left to work out their collegiate courses with reference to local conditions; and they considered that each of the principal provinces of India should have its own agricultural college so soon as the agricultural development of the province justified that step. Later on in the same year, 1917, the Board of Agriculture in India, held at Poona, accepted this last statement and added that the question of affiliation of such colleges should be left to the decision of the Government concerned.

*Resolutions.**Mr. Cumming.*

Now, the object of an agricultural college has been considered on more than one occasion by the Government of India and the Provincial Department. An agricultural college may be held to have the following purposes :—

- (a) firstly, to prepare qualified officers for the different branches of the Agricultural Department ;
- (b) secondly, to give instruction in agricultural practice to those of the landed classes who wish to improve their own property, and to provide the landed classes with land agents or managers ; and
- (c) thirdly, to give opportunities for research.

The Public Services Commission were informed that certain existing agricultural colleges had failed in their purpose ; and the Commission recommended in 1916 that the staff should be adequate for the instruction up to the standard required for the Provincial Agricultural Service and also for the effective prosecution of research.

The latest advice on the subject is that contained in the report of the Calcutta University Commission, which has quite recently been placed in the hands of the public. From the chapters on agricultural education Hon'ble Members will learn that many counter-balancing factors have to be considered, and that the subject is fraught with many and grave difficulties—difficulties which are quite unsuspected by those who merely take as a premise that agriculture is the fundamental industry in the province. One of the chief difficulties is that, notwithstanding the demand for higher agricultural education in the abstract, there is, apart from the limited demand for higher appointments in the Government Agricultural Department, hardly any effective demand by members of the public for the employment of those who have already taken diplomas in agriculture. The Commission have made recommendations through which I trust it will be possible to supply not only high theoretical instruction but also real practical training, which is so much to be desiderated. The link between these two kinds of instruction is essential. I have had instances within the last year of the failure of that link, in cases from England and from America. One youth had received theoretical instruction in an English college, but admitted that he had evaded the practical training and that he knew nothing practical. Again, from America, I have learnt how the authorities of certain American institutions, with mistaken kindness for the Indian student, have let the student off all practical training. Such students return to India full of the lore of text-books ; but unsuited for either public or private employment in India. In any new development in India we should not neglect this warning.

I now turn in the second place to those considerations which are specially applicable to Bengal. While, on the one hand, there is a legitimate demand from the educated classes for higher agricultural education, yet it is a fact that in practice the zamindars of Bengal have so far not insisted on a specialized knowledge of agriculture as a qualification for managerships in their estates, nor is it the general habit to employ agricultural experts to improve the methods of agriculture practised by their tenants. If, as the Hon'ble Abul Kasem indicates, there is a change in this respect, no one will be more pleased than the members of Government. For practical purposes at present young men from Bengal join agricultural colleges for the purpose of obtaining Government employment. The college at Sabour in Bhagalpur district was created in 1910 when Bihar and Bengal were under one administration, and the site was selected, as I have personal reason to know, in order to cater for the wants of the two areas and at a site where land, typical of both the Western districts and the Eastern districts, was available. In view

*Resolutions.**Mr. Cumming.*

of these facts I do not think the criticism which says that there is no provision for agricultural education in Bengal is quite fair. Up till quite recently Sabour has been more than sufficient to meet the wants of the two provinces. In the five years from 1914 to 1919 the number of Bengali students at Sabour has varied from 13 to 32, and in the present year there are 26 Bengal students in the first year class. A certain stimulus has been given by the recent creation of certain appointments in Bengal under the name of district agricultural officers. But all the districts in Bengal have now been provided with such officers; while the power of the Imperial Department and the Provincial Department to absorb new recruits is limited. The Bengal Government have hitherto been unwilling to create a supply that was apparently greater than the demand and add to the total of what the University Commission style 'disappointed unemployables'. The Bengal Government, however, recognize two main facts,—that provincial patriotism desires a college of its own after the separation of the Bihar territory and that Bengal has felt that some effort should be made to get the educated classes to take up agriculture as an occupation. Government were also aware that the matter was being examined very fully by the Calcutta University Commission. The conditions of the problem imply, as I have already indicated, that the instruction must be practical. Government, therefore, in anticipation of the report of the Commission tentatively considered the establishment of an institution which would be devoted to the technical and practical training of persons who have already received a good general education; the main object being to turn out thoroughly practical agriculturists. In so doing not only would recruits be provided for the Agricultural Department, but a training would be offered to those desirous of taking up work on the land or of acquiring a knowledge of agricultural practice as well as to those desirous of following up agricultural research in a scientific fashion. If such an institution were created, it was proposed to style it an 'agricultural institute'. The more important of the subjects to be taught would be tillage, plant selection, agricultural engineering, use of labour—saving equipment, the care of animals, and so on.

Now, it has to be considered in connection with such an institute what relation it should have with the University; and it will be seen from the report of the University Commission that such an institution will meet the proposals which have been made by that body. The main proposal of the Commission in connection with agricultural education is that after a student has taken the degree of Bachelor of Science with a revised curriculum he should proceed for a period of training to an agricultural institute, at which he would receive an adequate diploma indicating that he had received the special training proposed to be given at such an institute; and finally, that such a student who takes the degree of Bachelor of Science *plus* the diploma of the institute should be qualified for the degree of Bachelor of Agriculture under the University. This, then, is the general idea,—theoretical training under the University, combined with specialized practical training under the Department of Agriculture, the combination of the two being considered a qualification for the degree of Bachelor of Agriculture. This proposal, however, naturally depends, as the Hon'ble Sir Deba Prasad Sarbadhikari has correctly pointed out, upon a detailed examination of the proposals of the University Commission by Government; and it will be clear to Hon'ble Members that if the general lines are followed such an agricultural institute, though not actually incorporated with the University as the Hon'ble Mover requests, will at any rate be practically related to it. In view, then, of these recommendations, Government are prepared to accept the resolution of the Hon'ble member with certain modifications, both in view of the recommendations of the University Commission and of the interests of Bengal. The word 'institute' in the resolution should be

*Resolutions.**Maulvi Faz-ul-Haq; Mr Cumming.*

substituted for the word 'college', ; and, in view of the fact that the Calcutta University Commission's Report has still to be considered in detail, the words 'to be finally incorporated with the proposed Dacca University' might be omitted. The resolution might possibly be expressed in the following form :—

'This Council recommends to the Governor in Council that a fully equipped agricultural institute be established at Dacca.'

If the Hon'ble Member would modify the terms of the resolution to this effect Government would be prepared to accept it. I should like to add that plans for such an institution at Dacca are under preparation and that the first steps have already been taken towards the financing of the acquisition of the site required."

The Hon'ble Maulvi Fazl-ul-Haq said :—

"My Lord, in view of what has fallen from the Hon'ble Member in charge, I rise to say a few words, not so much with the intention of adding to what I have already said in support of this resolution, but to take this opportunity of offering my heartfelt thanks to the Hon'ble Sir Deba Prasad Sarbadhikari and to the Hon'ble Maulvi Abul Kasem for all the good things that they have been pleased to say about Dacca. Most unfortunately, and by an irony of fate, the district of Dacca seems to be practically unrepresented in this Council. The four members of the Dacca Division come from districts outside Dacca and I, therefore, take this opportunity of offering to my friends who have been good enough to recognize the claims of Dacca as the Eastern capital of this Presidency the thanks of the people of this town as well as the district, and for the ready recognition which they have shown to the claims of this city and this district.

As regards the resolution itself, may I ask the Hon'ble Member to consider if the words 'at an early date' could be added to the resolution? I can quite understand, my Lord, that with the preparations that have already been made for the establishment of an agricultural institute in Dacca things would progress soon enough, but at the same time we cannot forget, and I say it with the utmost deference, that the wheels of Government move very slowly and that sometimes hope deferred makes the heart very sick. Things have taken place, as far as the Dacca University is concerned, which make it absolutely necessary that some encouraging words at any rate should be added to the resolution in order to show that all possible steps will be taken for establishing the proposed agricultural institute in this town. I suggest the words 'at an early date' in place of the words 'at once'. 'At once' may be too precipitate as pointed out by the Hon'ble Sir Deba Prasad Sarbadhikari; but 'at an early date' is vague enough to include anything between lethargy and actual action. My Lord, in these circumstances may I ask the Hon'ble Member to consider whether these words should be added. At the same time I may say that I am not very particular about the phrase so long as the principle of the resolution is accepted."

The Hon'ble Mr. Cumming said :—

"My Lord, I have pleasure in saying that the Government will be prepared to accept the resolution in the following form as suggested by me and as further amended by the Hon'ble Mover, viz.,—

'That this Council recommends to the Governor in Council that a fully equipped agricultural institute be established at Dacca at an early date.'

I need hardly repeat, my Lord, that an earnest of this has already been given.

Plans for such an institution are already in preparation, and steps have already been taken for the financing of the acquisition of the site required."

The motion was then put in the altered form and agreed to.

*Resolutions.**Rai M. C. Mitra Bahadur.***LIST OF BUSINESS—ITEM No. 6.**

The Hon'ble Rai Mahendra Chandra Mitra Bahadur to move the following resolution :—

This Council recommends to the Governor in Council that a Committee be appointed, consisting of officials and non-officials, with instructions to make an inquiry into the working of the Hastings School, Alipore, with a view—

- (i) to determine the syllabus of studies for the different classes or "Forms", in accordance with the regulations of a recognized University ;
- (ii) to satisfy other requirements for its immediate affiliation to a recognized University ;
- (iii) to consider the question of the reduction of its school-fees in the case of day-scholars, from Rs. 28 per month to a lower figure ; and
- (iv) to recommend such steps as may be deemed advisable to place the school on a more satisfactory basis.

He said :—

"My Lord, the Hastings School has been in existence for full four years. I have carefully gone through the printed reports of this institution up to 1917-18 ; further report is not available at present. From these reports, I quote the following lines for the information of Your Excellency's Council :—

' * * There lies the important question of how best the school may fulfil its task of giving to India men who, by reason of their established social position, may be fit to direct the aspirations of their own community, or to play a useful part in the control and development of the natural resources of their country.'

' * * It cannot be said that the school attracts a really representative body of pupils, and this fact must be carefully borne in mind in examining the statement showing the numbers of boys in the school * * * ; nor can these numbers be reckoned as indicative of the possible growth of the school, for until the school can cater for the needs of the orthodox communities it will fail to draw from a very large and important section of Indian society'.

' * * There is at present no provision for science, but it is hoped that the experimental work which is to be done in Physiology and in Physical Geography, may be a useful preliminary training in scientific method. Until systematic science teaching is established here the school course will always be incomplete, and for this reason no effort should be spared to equip and maintain a school laboratory. Art teaching required to be put on a better footing, which might best be accomplished if a well-qualified man from the Government School of Art could be spared as a special visiting master for this branch of work.'

' * * It is difficult to find the real reason for the deficiency of the numbers below the estimated level * * * it may partly be due to some measure of disinclination on the part of the Indian parent to sever himself from the usual

*Resolutions.**Mr. Altaf Ali.*

courses of education which have been established longer in the Presidency, and finally, it may be that the number of those who desire this form of education has been somewhat overestimated.'

'* * * The want of a first class mathematician is at present very greatly felt.'

'* * * So long as this (*i.e.*, provision for science laboratories) remains unprovided for the school course must necessarily be incomplete, and further, this may always be adduced as an excuse for the deficiency in number * * * There should be more boys in the lower school, for until we can rely upon these forms being filled there is no adequate guarantee for the future success of the school.'

'* * * In the absence of any trust funds, the school must always be supported, in part, by Provincial revenues.'

'* * * The need, however, of a definite provision throughout the school for systematic science teaching, still remains a matter of some urgency; for had this training been available at the school, it is very probable that some of those boys who left during the year under report (*i.e.* in 1917-18) would have remained in the school. In all cases these boys left in order to obtain facilities for the study of science. I will, therefore, again record my opinion that there is the greatest need for the establishment in the school of a science laboratory under the charge of a well qualified science graduate.'

The school is not affiliated to the University of Calcutta or to any of the Universities of Oxford or Cambridge.

The tuition-fee in the Presidency College is Rs. 12 per month and the school-fee in the upper classes of the Hare and Hindu Schools, the premier schools of Bengal, are Rs. 5 per month. There is a surplus annual income of some thousands of rupees from these collegiate schools. In order to make the Hastings School a self-supporting one, the question of the reduction of its fees in the case of day-scholars from Rs. 28 per month to a lower figure should be carefully considered.

The appointment of a committee on the lines suggested in the resolution is urgently needed to examine facts up-to-date and find ways and means for the proper solution of the intricate problem connected with the management of the Hastings School.

With these few remarks, I move this resolution for the careful consideration of Your Excellency's Council."

The Hon'ble Mr. Altaf Ali said :—

My Lord, as a member of the Advisory Committee of the Hastings House School, I feel it my duty to oppose this resolution. In doing so, I must first of all assure my Hon'ble friend that I have no intention of withholding any information regarding the internal management of the school. Let us see what my friend really wants. First of all, he wants a committee consisting of officials and non-officials to be appointed to inquire into the working of the school. I am not quite sure if my friend really wants a committee consisting of officials and non-officials, or if he has said so because whenever a committee is asked to be appointed, a similar request is made. I am not quite sure if my friend knows that a small Advisory Committee to govern the school

*Resolutions.**Maharajadhiraja Bahadur of Burdwan.*

exists at the present time, and this committee consists entirely of non-officials. My Lord, the points regarding the syllabus and affiliation that my friend, the mover of this resolution, has raised, are such that the Advisory Committee is required to deal with in the usual course and which the committee after due and careful deliberation fixed. If my friend, whether he has any personal interest in the school by way of relations reading at the school or whether he takes only a general interest in an institution of this kind, has any suggestion to make at any time to the members of the committee they will be very gratefully accepted and they will do their best to apply them for the future administration of the school. As a matter of fact, they are always open to any suggestions from the public which will lead to the better administration of the school. The purport of my friend's resolution is the determination of facts that legitimately belong to the Advisory Committee and to the Department of Education in Bengal. If my friend thinks that the committee is not doing their work properly, or that they are incapable of doing so, I, for one, will be prepared to withdraw, in favour of men who take more interest in the school than we have hitherto done, and I am sure my colleagues will do the same. With these few words, I oppose this resolution."

The Hon'ble the Maharajadhiraja Bahadur of Burdwan said :—

"My Lord, it is not possible for me on behalf of Government to accept this resolution. I am glad, however, that an opportunity has been given to enable Government to explain the position of the Hastings House School, and also to mention to the Hon'ble mover of this resolution the present position there, and it is possible that after hearing what I have to say on the subject, the Hon'ble gentleman may decide to withdraw his resolution. What I could gather from what the Hon'ble Rai Mahendra Chandra Mitra Bahadur has said in connection with the resolution, that, apart from the fact that he is not satisfied with the syllabus and the general management of the school, he wants that the teaching of science should be properly and at an early date introduced in this school, and for this purpose he would advocate the cumbrous procedure of an unweildy committee to go into the question. I should have thought, my Lord, that that would have been the last thing to suggest in a matter of this kind. But, Sir, it is not my business to discuss as to whether or not a committee is the most suitable form for an inquiry of this nature. What I have got to convince the mover of this resolution is that an inquiry is not necessary. With regard to the first portion of the resolution in which he deals with the syllabus of studies and the question of affiliation of the school, I am glad to inform the Hon'ble Member that the Government have recently, on the advice of the Director of Public Instruction, come practically to the same conclusion at which he himself has evidently arrived. Let me briefly state the purpose and objects with which this school was established. A deputation of influential gentlemen approached the Government of India in 1913 with a scheme for the establishment of a residential school for Indian boys to be run on the lines of an English public school. Among the members of this deputation were gentlemen who could well afford to send their boys to English public schools, and who had no scruples about sending their boys to England, therefore these gentlemen, it must be clearly understood and it must be clear to the Hon'ble mover himself, were actuated by the best of motives in approaching Government, viz., to see whether it was possible to establish in Calcutta a school in the nature of an English public school for the benefit of those Indian gentlemen who are not prepared or are not able to send their boys for such an education

*Resolutions.**Maharajadhiraja Bahadur of Burdwan.*

to England. The Government of India had previously outlined some such proposal and the Local Government naturally, therefore, welcomed the deputation's proposal to found a well-equipped and well-supported school which breaking away from many traditional ideas by which Indian schools have been hampered and circumscribed should seek to mould these boys upon the English public school pattern, to turn out boys with good academic qualifications, and to develop character and promote that valuable *esprit de corps* which is too often lamentably deficient in many of our Indian schools. It was recognized that such an ideal would cost money and that such a school must necessarily be restricted to those parents who could afford to pay reasonably high fees. My Lord, I do not think that we can be blind to the fact that even to-day education of this kind in Bengal is ridiculously cheap, but on the other hand one recognizes that the heavy outlay the middle classes in England incur for the education of their sons, would often be beyond the means of the *bhadralog* in Bengal. I think the Hon'ble mover will probably agree that many Bengali gentlemen would be willing to incur a larger outlay on the education of their children if they were satisfied that the education provided were worth the money. Many of us, moreover, do still desire to see if a school of this nature could possibly thrive in Bengal, and it was really because a number of such influential men wanted that such an experiment should be made, that the Local Government of the time thought it worthy of consideration and worth experiment. That was how the Hastings House School came to be started in 1915, the sanction of the Secretary of State being granted to pursue the experiment for a period of five years. I may at once admit that those who moved Government for the establishment of this school,—and among them I myself was one,—and the Government are somewhat disappointed at the support which the institution has so far received. The Hastings House School will accommodate about 100 pupils, i.e., 50 boarders and 50 day-scholars. The school opened as I said in 1915 with only 10 boys on the rolls and towards the end of the year the number had risen to 20 and for the last two or three years there have been about 30 pupils among whom some 12 to 14 have been day-scholars. It was recognized at the time that the fees must be high, and they were fixed at Rs. 100 per mensem for boarders *plus* Rs. 5 for sports, stationery, medical attendance, etc., and in the case of day-scholars at Rs. 25 per mensem with an additional Rs. 2-8 per month for sports, and stationery. I may say that there were some who thought that the fees should be still higher, had it been so they would still have been considerably less than those paid by English parents for their boys at some of the English schools. The present expenditure of the school amounts to Rs. 55,000 and the sum recovered from fees comes to Rs. 38,000, leaving a deficit of Rs. 17,000 which is borne by the Local Government. The deficit in 1915 was over Rs. 20,000 and in 1916-17 little over Rs. 17,000 and the same for 1917-18. Now, of course, one may ask whether Government are justified in expending this amount out of their revenues from public funds for the education of the sons of gentlemen who can in most cases afford to pay higher fees or in some cases could afford to send their sons to England. The whole question has received the very anxious consideration of Government from this point of view and I am glad to have the opportunity of explaining the Government's position to the Hon'ble Member. I think no one will deny that the high school education at present provided in Bengal suffers from many limitations and many defects. It would be superfluous for me to attempt to enlarge upon a matter of such common knowledge, especially as many of the members of this Council have probably read extracts from the University Commission's report which deals exhaustively with this subject and which is now before the public. I may, therefore, at once say that the Government are conscious that the present

*Resolutions.**Maharajadhiraja Bahadur of Burdwan.*

system has failed, but they realize that a considerable service to education might be done if at least one model institution conducted on broad and liberal lines could be established. As regards the virtual restriction to the sons of the well-to-do which the high rate of fees must cause, Government felt that many of the students who pass through the doors of such an institution may ultimately become some of the prominent leaders in Bengal and it felt justified on political grounds as well in providing these boys with a more liberal education, calculated to train the character, no less the mind, than is supplied in many other schools in the Presidency. It was hoped at the time that the advantages of such an education would be readily grasped and that the need for such an institution would be recognized and that all the available accommodation would easily be filled. That unhappily has not yet been our experience; Government may perhaps have some justification in contending that the experiment has failed and that in the interest of economy they should close the school and cut its losses. Well, my Lord, as I myself admitted, Government themselves are apparently not satisfied with the present state of the school, but whilst admitting it Government are not prepared to cry *peccavi*. The whole question has received, as I have stated, the most anxious consideration of Government, and Government have come to the conclusion that the causes of the present failure of the institution are probably due to the following, viz.: (a) The scale of fees which presses too severely on a number of families who can afford the facilities offered by the school; (b) That many persons in Calcutta who can well afford to pay the fees and who recognize the solid advantages which the school offers, prefer that their sons should live at home and attend the school as day-boarders. In the present circumstances, the number of day-scholars is only limited to one-third; (c) Many parents are disappointed that the recruitment of English school masters, trained in and thoroughly imbued with the spirit of the public school system in England has been delayed owing to the war. Finally the lack of professors for science teaching has undoubtedly been a distinct stumbling block to the progress of the scheme. Then, of course, the absence of separate messing arrangements for orthodox Hindus has perhaps kept out a certain number. The curriculum or studies with its failure to provide for matriculation examination has been the subject of a certain amount of criticism and the non-affiliation of the school to the University has also caused some misgiving. Referring, therefore, to the latter part of the Hon'ble Member's resolution, I would frankly admit on behalf of Government that steps must be taken to place the school on a more satisfactory basis, and I may state at once that Government have arrived at the following conclusion, viz., that a properly-equipped science laboratory should be immediately provided, suitable rooms are already available, and the capital cost for equipment will amount only to Rs. 3,000; it is anticipated that the recurring cost will be recovered. Government propose to go ahead with this. The limitation on the number of day-scholars will be modified; of the total number of pupils that can be received (which I have said was 100) no less than half the number should be day-scholars. The Government of India have already been approached with a proposal to extend the period of experiment up to 1922. Pending sanction of the Secretary of State to this proposal Government are unable to take steps to recruit two additional English masters, who were sanctioned in the original scheme. Of course, if the sanction is received, which we hope will be the case, we shall set about securing these additional members of the staff. Government has already invited several leading associations in the Presidency on the question of separate messing arrangements for the orthodox, and if there is any reason to believe that the school will thereby be rendered accessible to boys whose parents at present stand aloof, Government will make such provision in this direction as the accommodation at Hastings House allows.

*Resolutions.**Sir Deba Prasad Sarbadhikari.*

I turn now to the proposal of the Hon'ble Member to revise the syllabus of studies and to take steps to have the school recognised by some University by which I presume he means the Calcutta University. I may state that when the school was founded one of the many problems to be considered was to arrive at some decision upon the educational policy to be pursued. It was hoped that a certain percentage of pupils would on leaving the school proceed to a University. It was probable that some of them might graduate first at an Indian University while it was certain that some of the boys would not go to England at all. Government of course had no statistics to guide them in this matter but after careful consideration they decided that the senior Cambridge local examination would perhaps for sometime most satisfactorily serve the purposes of a school final examination. The Cambridge test provides a suitable academic standard while at the same time it has the advantage of having been held not only in England but also in India. Moreover it secures for successful candidates certain exemptions from University preliminary examinations. Accordingly the junior and senior Cambridge local examinations were made the intrinsic part of the school curriculum. As a matter of fact however it has been found that many parents view with some misgivings the elimination of the Matriculation examination and that they are anxious lest its non-recognition by the University may subsequently hamper or check the University career of their sons. The whole question, as I have said, has been carefully considered by Government and they have recently resolved that the Matriculation examination should be taken in class IV upper or V lower and that the boys who pass the Cambridge senior and are of an age to remain at the school should go on for study for even the Cambridge higher certificate or the Intermediate examination in Arts or Science of the Calcutta University. It is also proposed that in future all subjects except English and Mathematics should be taught through the medium of the vernacular in the lower school. The Hon'ble mover has asked that a committee should be appointed to make recommendations on these various matters; but I think he will see now that a good deal of what he had in mind has already been taken up by Government and that therefore the necessity of a committee no longer arises. The Hon'ble Mr. Altaf Ali seems to be very free about his movements and desires in wishing to withdraw from the committee and asking others to follow suit, but I wish to point out that a strong advisory committee does exist and that is a committee which is appointed by and to advise Government and it is not open to Mr. Altaf Ali to make such quick changes. If the Hon'ble Member after hearing what I have said to-day and after coming to know that some of his proposals have already been accepted by Government would like to bring this matter to the notice of the school authorities, I would advise him writing to the President of this committee and I think that under all these circumstances he would be well advised to await further developments and to withdraw his resolution regarding the appointment of a committee of the kind which he has in mind.

My Lord, on behalf of Government I am sorry I am unable to accept the resolution as it stands."

The Hon'ble Sir Deba Prasad Sarbadhikari said :—

"My Lord, I had not the least idea of intervening in this debate for the very good reason that I know very little about the Hastings House school. Although I was one of the original signatories demanding the establishment of this institution, I have had no opportunities of knowing anything about it. I have, however, wished it well and am sorry to gather both from official and non-official statements here that it is not doing well.

My Lord, there are other reasons, however, why I cannot let the speech of the Hon'ble Member in charge go unnoticed. I may frankly state that nothing

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Resolutions.

Maharajadhiraja Bahadur of Burdwan; Sir Deba Prasad Sarbadhikari, President; Rai Mahendra Chandra Mitra Bahadur.

more is painful to me than to have to differ from the Hon'ble Maharajadhiraja Bahadur of Burdwan upon whom I have always looked as one who is a leader among his class who has also the good of the people at heart. I do not now raise the question as to whether Government should spend largely out of public revenue on the education of the people who can afford to spend all that is needed, or whether so called political reasons such as the Maharajadhiraja Bahadur has indicated should rule the situation; that is a question for Government to consider for the country will prefer to have its own leaders and not wait for those that the Hastings House will be supposed to breed. There is one other matter however which requires attention. My Lord, if I heard the Hon'ble Maharajadhiraja Bahadur of Burdwan aright, I heard him say that education in this country is ridiculously cheap. I desire to protest against that assertion—an assertion which has been freely made by people who know nothing of the country—but which from the Hon'ble the Maharajadhiraja Bahadur of Burdwan, Member in charge of the Education Department of your Excellency's Government, comes as a surprise to me, a painful surprise. I shall be glad to be told by the Hon'ble the Maharajadhiraja Bahadur that I did not hear him aright and, if so, I apologise to him."

The Hon'ble the Maharajadhiraja Bahadur of Burdwan said :—

"May I rise to a point of order. I think the Hon'ble Sir Deba Prasad Sarbadhikari seems to forget the subject matter of the resolution. We are discussing the question of the appointment of a committee to inquire into the working of the Hastings School and when I said that education in this country is ridiculously cheap I meant education for people who aspire for the kind of education as received in a public school of this nature in Bengal. I did not for a moment refer to the average education that is imparted to the people in the country."

The Hon'ble Sir Deba Prasad Sarbadhikari (continuing) said :—

"That is satisfactory so far but does not go the whole way. Therefore my complaint and objection still hold good. The statement would seem to imply that those of us, in the lower middle classes, who have so far sought to avail themselves of the facilities provided by the Hastings School are not as badly off as they are described to be. If the Hastings House teaching is of the right public school type it should be within the reach of the poorest day scholar, though he need not aspire to the luxurious residential arrangements. This morning I received a visit from a gentleman who had absolutely broken down in educating his sons. It may be said that he had no business to attempt this if he could not afford it. May I remind the Council, my Lord, of what is after all a commonplace. The best of our men have come from the class who can ill-afford to have any education, far less of the kind given by the Hastings School. I do not wish to refer to the somewhat unreasoning outcry about the question of the raising of fees as an evidence that education is not ridiculously cheap. That should be considered elsewhere."

The President said :—

"Order, order. Might I draw the attention of the Hon'ble Member to the resolution which is under discussion. The resolution relates to the appointment of a committee to inquire into the working of the Hastings School, Alipore; but that does not permit the Hon'ble Member to cover the whole ground of education generally."

The Hon'ble Sir Deba Prasad Sarbadhikari said :—

"I was trying to meet and protest against the Maharajadhiraja Bahadur's reasoning. But having regard to your Excellency's ruling, I do not wish to pursue the point further."

*Resolutions.**Rai Mahendra Chandra Mitra Bahadur ; Babu Surendra Nath Ray.***The Hon'ble Rai Mahendra Chandra Mitra Bahadur** said :—

" My Lord, I have listened to the statements which have been made by the Hon'ble the Maharajadhiraja Bahadur of Burdwan and I can say this that in moving this resolution I thought that it was in the interest of the public that an inquiry should be made in this connection. No one denies the encouraging ideal on the part of those who established this school, but what is the result. If the school was on a firm basis as was thought it at the time when it was founded, perhaps I would not have come to the Council with grievances like this. But as the Chairman of the institution has said in his report that the provincial revenues are attacked and the Hon'ble Maharajadhiraja Bahadur has also explained would be the deficit every year and consequently an appeal is made to your Excellency's Government. I have referred to the several passages from the report. These are not mine but these are quotations from the educational authorities in charge of the institution. If you look to the laboratory, it is in a very bad condition : if you look to the number of boys, it is very discouraging. All these speak affirmatively that the institution is on a very low level and the high ideals of those who established the school have not been achieved. Our children—the children of the middle classes—receive their education in the middle schools but if the Hastings School is not established on broad and encouraging lines, what is the good of having such an institution. My Lord I have therefore thought it proper when I moved the resolution to bring these facts to the notice of the Council and the Hon'ble the Maharajadhiraja Bahadur assures me that Government have taken action in the way which is indicated in this resolution and that instructions have been issued to the Director of Public Instruction and further than that notice has been taken of the several grievances. I submit that I have no other alternative than to withdraw the resolution with your Excellency's permission on the assurance which has been given by the Hon'ble the Maharajadhiraja Bahadur of Burdwan.

Before I sit down I have one word to say, namely, I have no personal motive in bringing this matter to the notice of the Council. I have no sons, no children, nothing of the kind. I have moved the resolution in the interest of the public and the public alone. If there is waste of public revenues on schools like these one cannot but bring it to the notice of your Excellency's Government and the Council. I have come forward with a grievance which I have substantiated by reference to the report. My Lord, I do not wish to say anything more, but as I have already said I have no other alternative left but to withdraw the resolution on the assurance of the Hon'ble Member in charge."

The motion was then by leave of the President withdrawn.

LIST OF BUSINESS—ITEMS Nos. 7 AND 8.

The Hon'ble Rai Mahendra Chandra Mitra Bahadur was to have moved the following resolution :—

This Council recommends to the Governor in Council that immediate arrangements be made by Government for opening additional sections of classes in all Government Colleges in Bengal, for the accommodation of those successful students who have been refused admission into Colleges for want of accommodation.

The Hon'ble Babu Surendra Nath Ray was to have moved the following resolution :—

This Council recommends to the Governor in Council that a committee be appointed to inquire into the difficulties of students in securing admission to Colleges and other educational institutions in Bengal, and to recommend suitable measures for providing adequate facilities for their studies.

*Resolutions.**President ; Maulvi A. K. Fazl-ul-Haq ; Sir Henry Wheeler.***The President** said :—

"I understand that it has not been possible to secure the information necessary to deal with resolutions 7 and 8 to-day and I have, therefore, agreed to their being postponed until the meeting of the Council on the 3rd September."

The resolutions were then postponed till the meeting of the Council of the 3rd September, 1919.

LIST OF BUSINESS—ITEM No. 9.

The Hon'ble Maulvi A. K. Fazl-ul-Haq in the absence of Hon'ble Babu Bhabendra Chandra Ray moved the following resolution :—

This Council recommends to the Governor in Council that a committee of officials and non-officials be appointed to inquire into the methods followed by the authorities in the matter of selection of candidates for admission into the Calcutta Medical College at the beginning of the current session.

The Hon'ble Maulvi Fazl-ul-Haq said :—

"At the request of my Hon'ble friend who is absent to-day, I beg leave to move this resolution which stands in his name. I may say at once, my Lord, that, although I was asked to move this resolution by a letter which I received from the Hon'ble mover, I confess I do not know really the grounds on which he thought it fit to bring forward this resolution. I may, however, state here that there is a considerable feeling in this country that boys do really find difficulties in the way of their admission into the Medical College. These difficulties are of varied character ; and I think that, in the interests of all concerned, it would be better if some enquiry be made in order that these grievances might be redressed. I do not wish to take up the time of the Council further. With this object in view, I beg to commend it for the consideration of the Council."

The Hon'ble Sir Henry Wheeler said :—

"Sir, I was interested to note that the Hon'ble Maulvi A. K. Fazl-ul-Haq, in addition to the bountiful contributions he has made to the bill of fare of the present session, was also equal to the task of serving up the leavings of absentees, but my interest is somewhat discounted by his very candid admission that he does not know why this resolution was put forward, unless as a means of ventilating a vague sense of grievance. However, I am not sorry that he has undertaken the task, in so far as from the two questions that have been answered to-day and from this resolution it would seem that there is a certain amount of misapprehension about our position in regard to this matter, which a statement of the facts may perhaps dispel.

I may say at once that the Local Government are not prepared to accept the resolution, and they base that opinion mainly on two grounds. In the first place the question of selecting students for admission to the College is essentially the function of the Principal, and it would be absolutely detrimental to the authority of the Principal to delegate that power to a committee or to request a committee to revise his orders. The position of the Principal in the matter is definitely laid down in the rules. The second main ground is that there is nothing that requires investigation by a committee, as I am in a position to explain the considerations which weigh in the admission of students, and after having examined the account given by the Principal as to his procedure in making a choice, we are of opinion that he acted reasonably and justifiably in the lines that he adopted.

*Resolutions.**Sir Henry Wheeler.*

First of all it is as well to remind the Council what the rules governing admission are. We are concerned here with what are called the 'regular' classes, and the minimum qualification for admission to these classes is the I. Sc. pass of the Calcutta University. This is worth emphasising, as I imagine that the grievance underlying these questions and this resolution is that men of inferior educational qualifications have been taken in—that is, I. Sc.'s have been taken in—while B. Sc.'s were available and were not chosen. So long, however, as the rule definitely recognises the I. Sc. as a qualification, the claims of men so qualified cannot be disregarded. Apart from that, we have it in the rules that while preference for admission is usually given to candidates who have superior qualifications, yet the final selection lies entirely with the Principal, that is to say, the responsibility is that of the Principal. We then have it laid down that one-fourth of the total number admitted shall be Muhammadans. That is a condition which, I take it commends itself fully to the Hon'ble Maulvi Fazl-ul-Huq. Next, 12 candidates are nominated by the Inspector-General of Civil Hospitals, Bihar and Orissa, and 6 by Assam. In addition, the Bihar and Orissa Government nominates 6 scholars who must possess the I. Sc. qualification.

These are the rules, and I have here an account from Lt.-Col. Deare of the way in which he exercised his discretion on the last occasion, and it is on that account that I base my subsequent remarks. In the first place, he observes that the method of selection was precisely that which was followed in previous years, and that every application-letter was opened and every candidate selected by himself. That again is worth emphasising, as in connection with questions of this kind there is often a vague rumour that students get admitted because they pay a rupee to a clerk here or eight annas to a chaprasi there. We have it from the Principal that all applications were opened and considered by him personally. He says that the problem with which he was faced was to select for 145 vacancies from 947 candidates. First of all he picked out the 11 Muhammadans, of whom 9 actually joined. Then three lady students were admitted, which left him with 131 vacancies against 933 candidates. And for this he had to choose from one M. Sc., 186 B. Sc.'s, 604 I. Sc.'s and 156 I. A.'s, B. A.'s and I. Sc.'s of other provinces. He first of all washed out the 156 candidates from other provinces as they were not admissible under the rules. When I say 'other provinces' I mean of course provinces other than those covered by the admission rules of the college, which include the jurisdiction of the Calcutta University and the province of Bihar and Orissa. That left him with 791 candidates for 131 vacancies, and he then began to scrutinize the names bearing in mind the following considerations:—

- (1) To select according to seniority of qualification. By seniority he means, I take it, superiority of qualification and priority of dates of taking the same qualification.
- (2) To distribute the vacancies among various districts. That, I think, is quite fair, bearing in mind that we are always hearing complaints that in the public services there are certain districts which are more favoured than others. It is quite fair in principle to let every district in Bengal have a chance.
- (3) To take in candidates especially recommended, and this too is a fair consideration to which weight may reasonably be given.
- (4) To make provision for immediate dependants of assistant surgeons and graduates of the Medical College. This, again, is a matter to which regard may justifiably be paid.

Proceeding on these general lines, he first of all took the one M. Sc. who did not however join. He then took the B. Sc.'s who passed in previous years and 47 B. Sc.'s who passed in 1919. With regard to this matter

*Resolutions.**Maulvi A. K. Fazl-ul-Haq.*

of B. Sc.'s there is a serious practical difficulty. I understand that the B. Sc.'s, because of their taking certain subjects at that examination, are entitled to admission to the 2nd year class of the Medical College, and it results therefrom that this class tends to become overcrowded. There is also an objection that students who enter that class straightaway do not get what is considered by the College authorities to be an adequate training in anatomy, and on these two grounds it is not possible to admit more than a certain number of B. Sc.'s. We have, however, the definite statement of the Principal that he filled the second year class up to the highest possible limit, and admitted more B. Sc.'s than in previous years. Having got through the B. Sc.'s he turned to the I. Sc.'s, and of them he took 75 who passed in the first division, 17 from the second division and one third division, the proportion in the first division being again higher than in the two previous years. It may be asked why did he take in second and third division men while he had first division men available? In answer to that Colonel Deare has replied that out of the 18 who were not in the first division, 16 were connected with past students and medical practitioners attached to the College, and I do not think that it is unfair that, up to a point, preference should be given to men of that class, the presumption being that the son of a doctor will have a greater hereditary disposition towards the profession of medicine. Educational institutions in other parts of the world do not hesitate to give preference to the sons of fathers who themselves attended those same institutions.

That is the method which the Principal adopted. He has also given details in his report bearing out his geographical argument. I submit that he has dealt with the matter fairly and with due regard to the various arguments which might be used in favour of particular candidates. He has dealt with it satisfactorily, and he has only followed customary methods which are in themselves perfectly reasonable. In these circumstances, there is no case for the appointment of a committee. On examining his account, and having regard to the grievance which, as I say, I imagine to have originated the resolution, it has struck me that we might enquire further as to the possibility of screwing up the entrance qualification, say, from the I.Sc. to the B.Sc., if the argument is that we ought to take men of higher qualifications in preference to others of lower degrees. But how far that would be expedient I cannot say offhand, and I cannot promise more than this, that I am willing to make further enquiries from the Surgeon-General and the Principal of the Medical College on the point. But to the main recommendation in the resolution that a committee be appointed, I am afraid I must return a negative.

The Hon'ble Maulvi A. K. Fazl-ul-Haq said :—

"My Lord, having listened to what the Hon'ble Member has just now said and also to the replies that have been given to certain interpellations this morning I confess that no case has been made out for the appointment of a committee. I take it that the authority who can move a resolution has also the right to ask for the withdrawal of it; and in that view of the matter, I pray that the resolution may be withdrawn."

The resolution was then, by leave of the President, withdrawn.

LIST OF BUSINESS—ITEM No. 10.

The Hon'ble Maulvi A. K. Fazl-ul-Haq moved the following resolution :—

This Council recommends to the Governor in Council that steps be taken immediately for the establishment of a Muhammadan Arts College at Dacca.

*Resolutions.**Khan Sahib Aman Ali.*

He said :—

"I think it would be some relief to the Hon'ble Members when I say that I am extremely anxious to get back to Calcutta as early as possible and that, therefore, I do not wish to detain the Council with any unnecessary remarks on this resolution, especially as it had been before the Council on two previous occasions when there were sufficient discussions on it. The question of a Muhammadan Arts College is one of great importance to the Muhammadans of Eastern Bengal and I think it is a matter which has now been definitely considered by Government to be absolutely necessary in fulfilment of the pledge that was given by His Excellency Lord Hardinge on the occasion of his visit to Dacca after the annulment of the partition. The number of Muhammadan students that yearly flock to the various colleges is increasing so rapidly that it has become absolutely necessary that some more colleges should be established in order to take in the students who are coming up in such large numbers, and it has been felt particularly that there should be some special institution where Muhammadan parents could secure for their sons such instructions as would be more suitable for Muhammadan boys. The question of a Muhammadan Arts College for Calcutta has also been considered on more than one occasion and I find in the Report of the Universities Commission—the little that I read of it—that the Commission is of opinion that a sufficiently strong case has been made out for the establishment of a Muhammadan Arts College in Calcutta. If that be the condition of things in Calcutta, it is with still greater reason that I urge on your Excellency's Government that the question of a Muhammadan Arts College for Dacca should be taken up at once. On former occasion we were told, and I admit, with sufficient reason, that the whole question should not be finally decided till the Universities Commission has submitted its report. That report has now been submitted; and, as I have already stated, the Commission does recognise the necessity for establishing a Muhammadan Arts College in Calcutta. The difficulties of Muhammadan students in getting admission into the existing colleges are at the present moment as keen as ever and, unless steps are taken for the establishment of a college at once, I may say that the road of high education, so far as hundred of Muhammadan students are concerned, will be blocked without any justifiable reason. I do not know what statement the Government is going to make with reference to this resolution. I, however, do not wish to take up the time of the Council any further because if a satisfactory statement is going to be made, it is unnecessary on my part to go into details. For the present I simply put the resolution for consideration."

The Hon'ble Khan Sahib Aman Ali said :—

"My Lord, the number of Muhammadan students is now growing very rapidly. I may speak of one college at Chittagong where 95 candidates were registered during a summer vacation. After the college re-opened another 30 students applied for admission. Out of these only 40 boys were admitted. From this it will be seen in what a difficult position the Muhammadan students now are. They have now taken to English education in right earnest and if at this stage, their desire is not fulfilled they would feel it very much and their progress would be very slow. Therefore a special college for Muhammadan students has become an essential necessity. The case I have cited is not an isolated one. If the Government make inquiries, they will find that such a state of things prevails in Comilla, in Dacca and various other places. I know of some of these Muhammadan students being admitted in the Dacca College but there are many who are refused admission simply because there were no seats. These considerations have compelled

*Resolutions.**Mr. Dunn.*

us to appeal to your Excellency's Government for a college for Muhammadan boys. With these remarks I beg to support the resolution."

The Hon'ble Mr. Dunn said :—

"My Lord, the Hon'ble Maulvi Fazl-ul-Haq has stated that the Calcutta University Commission has recommended the establishment of a Muhammadan Arts College. It will be my business in the course of my reply to explain that that is not altogether an accurate statement of the suggestions made by the Calcutta University Commission in their report. The resolution recommends that steps be taken immediately for the establishment of a Muhammadan Arts College in Dacca. The acceptance of this resolution would presumably lead to the founding of an Arts College staffed by Muhammadan lecturers and attended exclusively by Muhammadans, the institution being affiliated in the meantime to the University of Calcutta and perhaps in the future to the University of Dacca. The proposal is not a new one. It was considered in the deliberations of the Dacca University Committee and it was worked out in detail by the Hon'ble Mr. Hornell in 1915. It will not be out of place to state briefly what his proposals were. Provision had to be made in this proposed Muhammadan College for two sets of students (1) those who would follow the general course leading to the ordinary degrees in arts and (2) those who would read a special course in the department of Islamic studies. The original proposal having got so far there is every reason why the Muhammadan community of Eastern Bengal should be anxious to secure this type of institution. The scheme has long been under consideration, it was carefully discussed by the University Commission and I am glad to say that in the Calcutta University Commission Report every consideration had been given to the educational needs and aspirations of the Muhammadan community in Dacca and in Eastern Bengal. It is almost certain that the problem of Muhammadan education in Eastern Bengal will be solved in a manner much more satisfactory if the proposals of the Calcutta University Commission's Report are accepted in full, and if the resolution now before us be adopted and put into force. At this stage I may be allowed to give the briefest summary of the proposals of the Calcutta University Commission in so far as they deal with the question now at issue. In their report it is stated that a purely Musalman college would seriously limit the educational opportunities of Muhammadan students in Dacca and Eastern Bengal, that in the place of such an institution a University Moslem Hall should be founded. This would not segregate the Musalman from the Hindu students so far as the actual University work is concerned but would enable them to mix with the latter and to join in the general life of the University. This institution would necessitate a large provision for Muhammadans in Intermediate Colleges either in Dacca or in the surrounding mufassal districts and would not prevent the admission of Muhammadan students to other halls in the University if they so desired. When the Moslem Hall is full the question will arise whether a second similar hall should be erected or whether Muhammadan students would join mixed halls.

From these facts, Sir, it is fairly clear what the University Commission had in mind. For all the special purposes of the religious and social life of the Muhammadans ample provision has been made within the new Dacca University as at present outlined, but this provision will be so designed as to enable them to join in the full life of that University, to share in the best lectures and to enjoy the privileges of the best tutorial assistance. By this time it is well known that all Intermediate College work has to be removed from the sphere of University control and attached to high schools and to separate Intermediate Colleges. It is vital, therefore, that in these new institutions the interest of the Muhammadan community should be guarded.

*Resolutions.**Maulvi A. K. Fazl-ul-Haq.*

The University Commission have recommended definitely that an Intermediate College for Muhammadans should be founded in Dacca. This scheme is already under the consideration of the Education Department and there is no reason to believe that it will be long delayed. The higher education for Muhammadans runs broadly on two lines. The first is the purely oriental, classical or Islamic course of study for which ample provision will be made in the new University. The second is what is best described as the general course of study in Arts and Science Colleges. I am glad to be able to say that as regards the first, or the purely Islamic side of educational work, Government have already extended the courses of the senior Madrassa in Dacca to intermediate Islamic courses leading to further advanced study in the University when founded. Students have already passed from the senior Madrassa into these intermediate classes and provision is being made for the further encouragement of this work. On the one side therefore of Islamic education we may claim to be well advanced in Dacca, and to have anticipated the founding in the new University of courses of Islamic learning. By the time the University of Dacca is established there will be ready for this course a considerable number of Muhammadan young men. As regards the second or the general course I would point out that provision has already been made in Dacca of a Moslem High School wholly supported by Government. On the basis of this institution it is my intention to suggest to the authorities that an Intermediate College for Muhammadans be founded. Study in advance of the intermediate stage will be taken up in the University but for Muhammadan boys who will take up such study it is imperative that they should anticipate the demand which their later professional or official life will bring and mix with their fellow students of different races and religion on a footing of equality, thus securing the full benefit of University culture and discipline. In conclusion therefore I have to say that everything desired in the resolution under consideration has been anticipated by the Calcutta University Commission's Report, and that this resolution will be best realised by the foundation of a Moslem Hall in the new University, by the alternative courses of instruction on the Islamic and on the modern sides and by the creation of preparatory intermediate colleges, one of which for classical study has already been founded at Dacca, while the other is under immediate consideration. For these reasons I am not prepared to recommend the resolution to the Council."

The Hon'ble Maulvi Fazl-ul-Haq said :—

"My Lord, I find what I rightly anticipated, that the reply of the Government as regards this resolution would be satisfactory. In view of what has been stated by the Hon'ble Mr. Dunn I think, my Lord, I can claim that the Government are prepared to accept the resolution. We have been told that the Intermediate College in Arts is already in contemplation. If that is so, it means that my recommendation that a Muhammadan Arts College at Dacca be established, is accepted. I have purposely refrained from saying that we want a first grade college of arts and if an Intermediate College in Arts is already in contemplation the resolution does not ask for more than what the Government themselves are going to do. I think I ought to say in justice to myself and those of my friends who have been good enough to support my resolution on previous occasions and also to-day, that we never wanted that this Muhammadan College or Moslem Hall, whatever it may be called, should be staffed by Muhammadan professors only and that it should be open only to Muhammadan students, and that non-Moslem students should not be allowed to study there. My Lord, we have no objection to having non-Moslem tutors and professors provided they are fully qualified and we have also no objection in taking in non-Muhammadan students provided that amplest facilities are given to Muhammadan students and that there are not

Resolutions.

*Maharajadhiraja Bahadur of Burdwan ; President ; Mr. Dunn ; Maulvi
A. K. Fazl-ul-Haq.*

enough Muhammadan candidates seeking admission in the college. This is of course by the way—in order to make clear what we want in regard to an arts college. But I repeat that the recommendation does not ask for more than what the Government are prepared to do and in that view of the matter I think I can fairly claim that the resolution has been accepted by the Government. If there is any objection to the word ‘immediately’ and if the word be considered to be too peremptory, I am prepared to substitute the words ‘at an early date.’

The Hon'ble the Maharajadhiraja Bahadur of Burdwan said :—

“I do not think, my Lord, after what Mr. Dunn has said that there is any need to accept the resolution.”

The President said :—

“I understand that the Hon'ble Maulvi wants to put the resolution to the Council, though he understands that what the Government are willing to do is equivalent to an acceptance of the resolution. On the other hand the Hon'ble Mr. Dunn has said that he cannot accept the resolution, so that Hon'ble Members are put in some difficulty in knowing what their action should be. If the Hon'ble Mr. Dunn could explain, in reply to the Hon'ble Maulvi's contention, that what Government are doing is equivalent to accepting the resolution, then Hon'ble Members would be in a better position to know to what decision they should come to.”

The Hon'ble Mr. Dunn said :—

“My Lord, I am sorry if I failed to make my intention perfectly clear to the Hon'ble Member, but it seems to me that if we were to accept the resolution as it at present stands, namely, one which desires to start a Muhammadan Arts College at Dacca, we would be striking at the very root of those principles which the Calcutta University Commission have been at such pains to explain in their lengthy and interesting report. I understand that the Hon'ble Maulvi Fazl-ul-Haq is in possession of that report. I have tried to explain what the intention of the Commission is with regard to the Muhammadan education at Dacca. Might I, with your permission, recapitulate one or two points. The foundation of a Moslem Hall is recommended for the new University. Work preceding entrance to the Moslem Hall will be carried on in intermediate colleges: one for Muhammadans has to be founded in Dacca and the other in the intermediate classes which I have already made clear, are now in operation in the Dacca Madrassa. This Moslem Hall will provide for the social, religious and racial interests of Muhammadans, but, while carrying on their studies in that particular type of institution in the new University they will have the full benefit of all lectures or all tutorial assistance whether it be given by Europeans or Indians either Muhammadan or Hindu. If that does not fulfil the intention of the present resolution I am afraid I fail to understand exactly what this resolution is intended to convey.”

The Hon'ble Maulvi Fazl-ul-Haq said :—

“After what Mr. Dunn has said I find that his remarks fulfil the purpose of my resolution and I, therefore, contend that my resolution has been accepted.”

The motion was then put and lost.

*Resolutions.**Maulvi A. K. Fazl-ul-Haq ; Maulvi Abul Kasem.***LIST OF BUSINESS—ITEM No. 11.****The Hon'ble Maulvi A. K. Fazl-ul-Haq** moved the following resolution :—

This Council recommends to the Governor in Council that steps be taken immediately for the appointment of qualified and suitable Muhammadans as Professors and Lecturers in Colleges in Bengal.

He said :—

“My Lord, I must admit that the questions raised by this resolution are of a somewhat delicate character, because it might be construed that if we are going to introduce racial considerations into educational questions, other questions of a controversial character, are bound to arise. Nothing was further from our thoughts than this, and if I have been induced to bring forward this resolution for the consideration of your Excellency's Government it is for the reason that in several instances I have found extremely qualified Muhammadans who have applied for posts of lecturers and professors in colleges have unfortunately been unsuccessful in their efforts to get an appointment. I do not wish to impute to anyone who has got the gift of these appointments in their hands, any motives of a questionable character, but I do say that if the failure of qualified Muhammadans to secure lectureships and professorships had been few and far between, we might have thought that the grievances of unsuccessful candidates were of a more or less sentimental character, but I find that hardly a week passes when we do not get complaints from extremely qualified persons, and we are therefore at a loss to understand how candidates possessing such qualifications can fail to get such appointments. I understand that the Director of Public Instruction has got nothing to do practically with these appointments and that he has delegated his functions to the various managing committees or governing bodies as they are called of the various colleges in the Presidency. I am afraid that on these governing bodies Muhammadans are not properly represented and it may be that non-Muhammadan gentlemen who are serving on these governing bodies fail to appreciate the claims of these Muhammadan candidates properly and it is on this account that these grievances have arisen. If I am correct in my surmise, I think your Excellency's Government might devise some means for the proper representation of Muhammadans on these governing bodies or devise some other means by which these grievances might be removed. The question is of a very simple character, and I do not think I would be justified in taking up the time of this Council by any further remarks.”

The Hon'ble Maulvi Abul Kasem moved by way of amendment, that in the resolution of the Hon'ble Maulvi A. K. Fazl-ul-Haq, item No. 11 in the List of Business, after the word “Colleges,” in the last line, the following words be inserted, viz:—

“and as Head Masters and Assistant Head Masters and teachers in Government and aided schools.”

He said :—

“My Lord, it is with a good deal of diffidence that I move not only this amendment, but rise to support the resolution of my Hon'ble friend Maulvi Fazl-ul-Haq. It will be seen that we, the Muhammadans of this Council, always in season and out of season cry out in one form or another for help in the case of Muhammadans in the Educational service. My friend says he has been induced to give notice of this resolution because he has heard that qualified Muhammadans have applied for appointments

*Resolutions.**Mr. Dunn.*

as lecturers and professors, and they have failed to secure them. My object in supporting it, when notice of the amendment was given, was due to a different cause. I want that there should be some professors and lecturers in colleges as well as some teachers in high schools, not on the ground of securing employment for Muhammadan graduates, however desirable that may be, but for the purpose of creating in the educational institutions, an atmosphere sympathetic to Muhammadan students reading in that school or college. In a school where there is not a single or sufficient number of Muhammadan teachers the Muhammadan students find themselves like fish out of water and are not generally treated with that consideration or regard for their particular feelings and sentiments as they would be if there was any one on the staff of the educational institution to advise the authorities about them. It is generally the Persian professor or the Persian teacher who is the adviser of the head master or the Principal on all questions affecting the interests of Muhammadan boys. In my humble opinion it is not sufficient and does not at all meet the needs of the student community. The resolution with the amendment reads like a big order on the Government that the professors and lecturers and head masters, assistant head masters and teachers in Government aided schools should be Muhammadans. But we do not mean to say that in every college or each particular college there should be professors and lecturers and teachers who should be Muhammadans. What we suggest is that even if we are not explicit in the resolution, an attempt should be made to provide educational institutions with Muhammadan teachers be they head masters, or assistant head masters or if that is not practicable, simply as teachers in aided and Government schools. That will go a great way to make the position of the Muhammadan students in the schools comfortable and will remove much of their grievances and the sufferings under which they are labouring at the present moment. I do not think that it would serve any good purpose to make any lengthy remarks on this subject but I hope that this resolution will be accepted by your Excellency's Government."

The Hon'ble Mr. Dunn said :—

"My Lord, it will probably simplify matters if I deal with the resolution and with the amendment which are substantially the same, together. I would like to preface my remarks by the statement that I am, as far as possible, in the fullest sympathy with both the resolution and the amendment. The first resolution may be taken to mean that an early decision should be made to appoint to colleges in Bengal, Muhammadan professors and lecturers whose qualifications admit of such appointments. The Education Department has already given much thought to this question; and it sympathises with the desire of the Muhammadan community that the number of Muhammadan appointments in the educational service should be increased. Whenever appointments come to be made, the claims of Muhammadans (who have the necessary qualifications) receive most careful attention. It is desirable that most colleges should have, in addition to those who teach the Moslem classics, some Muhammadan members on their staff. This principle has already been recognised. But it is obvious that in the interests of the public at large, and in the interests of the Muhammadans themselves, the demand of any special community for representation cannot be allowed to overpower the claims of efficiency. The standard of education in our colleges must be maintained at as high a level as possible; and so long as this principle is adhered to, the Department of Education is prepared to consider all claims to collegiate posts that Muhammadan candidates may put forward. I am of opinion that had specific cases of hardship been quoted it would have been easier to deal with this resolution and this

*Resolutions.**Maulvi A. K. Fazl-ul-Haq.*

amendment. I am told by both the Hon'ble Members that the system of appointment in colleges is not altogether satisfactory and the Director of Public Instruction has practically delegated his functions and powers to governing bodies who may be non-Moslem in their constitution and whose sympathies may be antagonistic to the Muhammadan community. That, Sir, is scarcely a fair representation of the facts. It is necessary that responsible bodies such as the managing committees of schools and governing bodies of colleges should be empowered to represent the claims of their selected candidates for important posts, otherwise what would be the use of having governing bodies at all. The proposals of these governing bodies must be carefully considered; but it is not accurate to say that appointments are made solely on the recommendations of the governing bodies of colleges or managing committees of schools, and wherever possible, subject to the very necessary condition of efficiency, the interests of Muhammadans are being considered. It will appear, therefore, that the intention of this resolution will be best realised if the interests of highly qualified Muhammadan applicants for posts in colleges be left to the care of Government and to the Government Department of Education.

As regards the amendment, the statement I have already made referring to this resolution will apply with equal force; but in this connection there are certain difficulties to be faced. It is extremely hard to secure qualified Muhammadans as head masters of schools; the reason is a very simple one. A Muhammadan who takes a pass degree or better than a pass degree is usually in a position to secure a much better appointment than that of a teacher in a school. I think I am not exaggerating the case when I say that our ablest Muhammadans are not in the ranks of the educational service and still less are they in the ranks of the aided school system. When, therefore, promotions to the higher posts come to be made it frequently happens that the Muhammadans available are inferior to their Hindu fellow teachers. Promotions in this case would be undeserved and would inevitably lead to a serious lowering of standards. These remarks apply to head masterships, and assistant head masterships. As regards teacherships the Department of Education exercises influence through its grant-in-aid rules, and the appointment and dismissal of teachers have to be reported to the Inspectors of Schools and in addition to this it has been ordered that in all aided schools where there is any considerable Muhammadan population, arrangements should be made for teaching of Arabic and Persian. Beyond this it is scarcely possible for the Department of Education to go without causing undue hardship to those already teaching in schools or to such as may apply for posts vacant in aided institutions.

For these reasons, Sir, while I sympathise with the aspirations which have been expressed I am unable to support either the resolution or the amendment."

The Hon'ble Maulvi A. K. Fazl-ul-Haq said :—

"My Lord, I was responsible for the remark that the Director of Public Instruction has practically delegated his powers and functions so far as these appointments are concerned to various governing bodies or managing committees of schools and colleges. The Director of Public Instruction has taken exception to that remark but I do not think I need enter into a controversy as regards the correct interpretation of the position as to the appointment of candidates to these various posts. My chief object in saying a few words is to make my position clear so far as my own resolution is concerned. In the first place I wish to assure this Council that it has never been my intention to suggest that the demands of the Muhammadan community or for the matter of that the demands of any other community for a proper representation in the various posts in the Government service can for a

*Resolutions.**Maulvi A. K. Fazl-ul-Haq.*

moment be permitted to override the higher interests of efficiency. It is for this reason that even in this resolution I have been careful to add the words 'qualified and suitable' and nothing is further from my thoughts than to suggest that merely because it is desirable that Muhammadan teachers and professors should be on the staff of educational institutions that Government should go out into the street and catch hold of every Muhammadan teacher and put him into a post in order to fill up a possible vacancy. I do insist that the first *sine qua non* for any appointment must be the qualifications according to rules which should be rigidly observed in the case of all candidates whether Muhammadan or non-Muhammadan. My contention is that the claims of a Muhammadan candidate who fulfils the necessary qualifications should be favourably considered even though there may be a non-Muhammadan who is equally qualified. It is thus and thus only that we should be able to secure for these educational institutions something like a reasonable representation of the Muhammadan or any other communities in this Presidency.

Then, my Lord, I have been told that it would serve the interest of my own community best if I were to leave the case of the appointment of Muhammadan teachers and professors to the care of Government and their officers. That we are perfectly prepared to do. I started with the suggestion that the Director of Public Instruction does no longer hold the appointments in his hands and I thought that it is for this reason that the claims of the community would be overlooked. I therefore suggested that if these functions are to be delegated to any committee or any governing body, care should also be taken to see that the interests of the various communities are properly represented on these bodies. I have been told, my Lord, that one difficulty in the way of getting suitable Muhammadans for the posts of lecturers and professors lies in the fact that whenever a Muhammadan passes out, he generally gets employment elsewhere. Possibly reference is made to the appointments which are annually made by the Chief Secretary to Government, but I think the Chief Secretary himself will bear me out when I say that there are hundreds of exceptionally meritorious Muhammadan candidates who failed to get admission into the provincial service, either the executive, or the judicial, the police service or the excise and salt. There are several exceedingly fine Muhammadan candidates every year who first of all seek for admission in these services and when they fail, they seek admission into the Education Department, or they flock to the University Law College and add to the number of unsuccessful legal practitioners in this country.

I know of certain Government appointments which are earmarked for non-Muhammadans. However, with the individual cases of hardship I am not concerned and I have purposely refrained from bringing forward in support of my resolution any case of individual hardship by reason of the fact that the introduction of individual cases in this discussion would import into our speeches something like personalities which ought to find no place in the discussions in the Council. I know of several cases and I hope the Director of Public Instruction will take them from me. I will give the facts of each particular case when I meet him next; but so far as the Council is concerned I do not wish to disclose these particular facts at this stage. I do stand by the resolution as originally put before the Council, and I submit that I have made out some case for its acceptance by the Government. If the Director of Public Instruction does give each individual case, as it comes up, his best consideration and takes proper steps to revise the decisions of these advisory committees with a view to properly representing the various communities on these bodies, the purpose which I had in view in bringing forward this resolution will be served. I understand the Director of Public Instruction to say that care is taken to properly safeguard the interests of the Muhammadans and I have no doubt that this is done. My Lord, in this

*Resolutions.**Maulvi Abul Kasem ; Babu Surendra Nath Ray.*

view of the matter I do not think that it will serve any useful purpose if I delayed the discussion any further. I beg with your Excellency's permission to withdraw the resolution."

The motion and the amendment were then, by leave of the President, withdrawn.

LIST OF BUSINESS—ITEM No. 12.

The Hon'ble Maulvi Abul Kasem moved the following resolution :—

This Council recommends to the Governor in Council that suitable provision for the teaching of Arabic and Persian be made in schools and colleges in the Presidency in all cases where such provision does not exist at present.

He said :—

"My Lord, as I anticipate a sympathetic and favourable consideration of this resolution by your Excellency's Government, I do not want to take up the time of the Council by making a speech in support of it. The only thing I would like to say is this. I am aware of the fact that there is a condition in granting aids to schools and colleges that provision should be made for the teaching of Arabic and Persian as has been stated by the Director of Public Instruction just now. But I know of educational institutions where this condition is fulfilled by appointing a Muhammadan gentleman as a Persian and Arabic teacher on a miserable pay who cannot and does not practically discharge the duties for which he is taken. It is simply, I take it, for the purpose of carrying out the order in the letter of the Education Department that this is done. I hope and trust that steps will be taken to see that in all cases arrangements are made for the teaching of Arabic and Persian and for the maintenance of a properly qualified teacher.

With these words, my Lord, I commend the resolution for the consideration of this Council."

The Hon'ble Babu Surendra Nath Ray said :—

"My Lord, I am sorry I have to oppose this resolution. My Muhammadan friends will agree with me that they consider Bengal to be their mother country and Bengali their mother tongue. So I am really astonished to see why they should try to move such a resolution as this. It would be necessary if the resolution of my friend be accepted that two extra teachers would have to be appointed in all schools and colleges in Bengal, namely, one for the teaching of Persian and the other for Arabic, for I know as a matter of fact all Persian teachers are not good Arabic scholars and they are not in a position to teach both Arabic and Persian. Then there is another thing to be taken into consideration. There may be one or two Muhammadan boys in a school and even in that case to make arrangements for the teaching of Arabic and Persian it will be necessary to employ two teachers. As a matter of fact what is now being done is that in all schools where there is a decent number of Muhammadan boys teachers are appointed to teach Persian and Arabic, and in schools and colleges where there is not a decent number of boys who want to read Arabic and Persian, teachers are not appointed. But the present resolution of my friend is a very large order upon Government and for these reasons I oppose this resolution."

*Resolutions.**Maulvi A. K. Fazl-ul-Haq.***The Hon'ble Maulvi A. K. Fazl-ul-Haq** said :—

My Lord, the Hon'ble Babu Surendra Nath Ray has thought fit to oppose this resolution perhaps under a misconception. He is such an ardent supporter of Muhammadan claims that I was somewhat surprised when he rose to oppose the resolution, but after listening to him I find that he has not been able to adequately grasp the real reason which induced my Hon'ble friend, Maulvi Abul Kasem, to give notice of this resolution. I will therefore take the liberty as briefly as possible to explain to him the position of Muhammadan students in the various schools and colleges. I do not think I need waste much time in trying to press the fact that a Muhammadan student like all oriental students considers that any education that he does receive must not be at the sacrifice of any religious training that he ought to receive at the same time. My friend knows very well that although Bengali happens to be the mother tongue, the Muhammadan student has got to read Arabic and Persian in order to be well versed in his religious language and literature. All his religious books and literature are in Arabic and Persian and it would be absurd to expect that a Muhammadan parent would send his boys to an educational institution where there are no facilities for the teaching of these two languages, which they consider almost as sacred languages, for the reason that their religious books are written in these two languages.

My friend has said that the acceptance of this resolution would mean that two extra teachers would have to be maintained at each school and college. Well, if the recommendation contained in this resolution does go to that length I am prepared to suggest that that course should be accepted. We have been told and we are always told that the Muhammadans are extremely backward in education and that their backwardness is a serious hindrance to the progress of other communities. I admit that the backwardness in education of so large a proportion as 56 per cent. must be a serious hindrance to the progress of the country as a whole and therefore it is not merely in the interests of the Muhammadans alone that the facilities should be given to the Muhammadans in the matter of teaching Arabic and Persian and that every inducement should be given to them to take advantage of the various educational institutions. In this connection I would like to remind my hon'ble friend about the deputation which waited on Lord Hardinge in 1912 and which went so far as to say that although the special facilities given to Muhammadans would be resented by non-Muhammadans they would be perfectly prepared to accept any suggestion of Government or any steps that might be taken by them in order to provide ample facilities in educational matters. I take it therefore that so far as educational problems are concerned our friends ought to give whole-hearted support to all schemes in furtherance of Muhammadan education in this country. If the acceptance of the resolution involves the appointment of two teachers at an extra cost of say Rs. 50, Rs. 60 or 100, I submit that the cost will not be too much in consideration of the objects that are to be achieved. The question therefore arises whether the provision for the teaching of Arabic and Persian is so very essential and so very necessary. I submit with all the emphasis that I can command that the provision for the teaching of Arabic and Persian is necessary for all institutions. If you do not appoint teachers or professors for the teaching of these languages in all schools and colleges how can you expect that students should go and take admission in these institutions. It cannot therefore be argued that no case has been made out for the appointment of Arabic and Persian professors. It may also be argued that there is no demand for such teaching and to this I should say that provision should first be made for the teaching of these languages and then you may be in a position to see whether there is really any very great demand or not, but you cannot, by making no provision, say that there is no demand for the teaching of these languages. I submit, therefore, my Lord, that provision must be

*Resolutions.**Sir Deba Prasad Sarbadhikari; Mr. Dunn.*

made for the teaching of Arabic and Persian in all schools and colleges and I do not think that any question of expenditure should at all enter into the consideration of this question. For all these reasons I most strongly support the motion which is substantially the same as the next resolution which stands in my name.

The Hon'ble Sir Deba Prasad Sarbadhikari said :—

"There is an important consideration in connection with this question of which both the Hon'ble mover of the resolution, as well as the gentleman opposing it have lost sight. Although Bengali is the mother tongue of Muhammadans in this province it is not yet reckoned as a classical subject in the University. Unless therefore facilities for the teaching of Persian and Arabic are provided in schools and colleges, Muhammadans will be obliged to take Pali or Sanskrit. I do not object to their taking either of these languages from the point of view of scholarship, but it would be a distinct hardship to the community if for want of facilities they were obliged to do so. If we provide for Sanskrit in a province so largely populated by Muhammadans equal facilities should be provided for the Arabic and Persian if they wish to take to them. Therefore to complete educational arrangements specially from the point of view of Muhammadans, facilities for the teaching of Arabic and Persian will have to be provided for. My Lord, I cannot quite understand Mr. Ray's point of view in opposing this resolution. Of course the money question is always there, but we are trying to improve Muhammadan education which certainly demands that some arrangements should be made. I do not want to be unkind to my Muhammadan friends, and remind them now they did all they could to get rid of the very little Arabic insisted on by the University in connection with Persian. The objection was on the score of the difficulty of Arabic to the Bengalee Musulman. It can hardly be therefore that there will be widespread demand for Arabic as an independent subject. But where there is such a demand I think that every facility should be given for the teaching of Arabic, a subject which ought to be thought of in connection with their religious and other teachings. One cannot, however, agree that every school and college, irrespective of real demand, should have arrangements both for Arabic and Persian."

The Hon'ble Mr. Dunn said :—

"My Lord; the Hon'ble Maulvi Abul Kasem in moving this resolution has stated that what he really desires is an improved quality of instruction rather than the extension of that instruction. But this is a very different thing to the intention of the resolution now before us, that suitable provision for the teaching of Arabic and Persian be made in schools and colleges in the Presidency in all cases where such provision does not exist at present. No more comprehensive demand can be made for the teaching of Arabic than that which has been put forward. I feel compelled therefore to deal with this resolution as it stands while keeping in mind the corollary which the Hon'ble Maulvi Abul Kasem has added to the resolution. Unquestionably it is one that affects deeply the whole Muhammadan community of this Presidency. At present the principle underlying the resolution has been recognised in the fact that suitable provision for the teaching of Arabic and Persian is being made in all schools and colleges under Government control. In this case, it is altogether reasonable to suggest that similar provision should be extended to schools other than those under Government management, where the interests of Muhammadan learning appear to have been neglected. If the principle is recognised in Government institutions, then we cannot set it aside in aided institutions. In dealing with the details I shall take each type of institution in turn. Of the 6 Government colleges in the Presidency, all are affiliated in Persian and 4 in

*Resolutions.**Mr. Dunn.*

Arabic up to the pass standard of the B. A. degree. Up to the honours standard, 3 are affiliated in both Arabic and Persian. Of the 13 aided colleges in the Presidency, 4 are affiliated in Persian up to the B. A. pass standard. Of the 13 unaided colleges, 2 are affiliated in Persian and 1 in both Arabic and Persian. Of the whole number of 32 colleges, 13 are affiliated in Persian to the pass standard, 4 to the honours standard, 5 to the pass standard in Arabic, and 3 to the honours standard in Arabic. In calculating the total number of colleges I have omitted the two training colleges for teachers which do not undertake graduate instruction, and such institutions as the Sanskrit College in Calcutta which cannot be expected to teach either Arabic or Persian. It is scarcely possible for the Education Department to bring pressure to bear upon unaided colleges in the Presidency. The controlling authority for such institutions is not the Department of Education but the University of Calcutta; and to the widespread influence of that institution, I would venture to recommend the resolution of the Hon'ble Member.

As regards schools as distinct from colleges, we have to deal with Government institutions, with aided institutions and with those under private control without the enjoyment of a grant-in-aid. The only Government schools in which no provision is made for Arabic or Persian instruction are the Sanskrit Collegiate School and the Hindu School, but in these institutions no Muhammadans now read. It would not be reasonable, therefore, either to make provision for the teaching of Muhammadan classics in these institutions, or to bring pressure to bear upon them in order to introduce such instruction. I take it, Sir, that the resolution of the Hon'ble Member does not fully cover such institutions as I have described, although it asks for provision for the teaching of Arabic and Persian in all cases where such provision does not exist at present. As regards aided institutions, the attitude of the Education Department has been towards the encouragement of the study of Arabic and Persian. Inspectors have been specially instructed to investigate the needs of all schools situated in Muhammadan localities where the teaching of Arabic and Persian has been neglected. In all aided high schools, also, the need for the provision of instruction in the Islamic classics is carefully considered when grants are sanctioned for the first time or when grants come to be renewed.

As regards private schools, their control lies with the University of Calcutta; but the Education Department has to report on the condition of these institutions for the University. In every case the reports submitted to the Syndicate lay stress upon the need (where the need exists) of Maulvis for the teaching of Arabic and Persian. In conclusion I would state that in Eastern Bengal where the Muhammadan population is large it is safe to say that very few, if any, of the high schools fail to teach one or both of the Muhammadan classical languages. Here at this stage I do not feel myself justified in entering into a discussion on the quality of that instruction. In Western Bengal where conditions are altogether different, there are many schools where no Maulvis are entertained, but in these schools in that area, I have no ground for the belief that a reasonable demand exists for this kind of instruction. Any complaints on this question from local Anjumans and other responsible bodies invariably meet with careful consideration; and I shall be glad to investigate at any time any specific instances of neglect of Muhammadan interest in schools or colleges that may be brought to my notice. If then the resolution means that Arabic and Persian studies should be introduced in schools and colleges wherever they are desired, I would support it, as my department has already done, without hesitation and with enthusiasm. But if the resolution means that we must thrust Islamic studies upon schools that neither desire nor can make use of them, I am afraid that I cannot recommend its acceptance by this Council."

*Resolutions.**Maulvi Abul Kasem.***The Hon'ble Maulvi Abul Kasem** said :—

“My Lord, when I moved the resolution I thought that it would be accepted on behalf of the Government and that there would be no discussions over it, but the opposition of my Hon'ble friend, Babu Surendra Nath Ray, came upon me as a surprise. I am sorry to find that he does not see the difficulties of the Muhammadan students in this connection. If he had been able to do so he would certainly have supported the resolution as it stands, as I believe there is no one in this Council more anxious to see Muhammadan boys advance in education than the Hon'ble Babu Surendra Nath Ray himself. I am told that the resolution, as drafted, was different in spirit from my speech in introducing it to the Council because I am told, that I added a corollary to it by saying that the quality of the education should be improved. By 'suitable provision'—the wording is quite clear—I meant that there must be capable teachers to teach Arabic and Persian and that the teachers must not be any and every Muhammadan caught hold of in the streets and installed in the chair of the Arabic and Persian Professor. As regards the demand for suitable teachers by high schools, I may relate an incident. When the present Director of Public Instruction was in charge of education in the Burdwan Division, the local association approached him on a matter of this kind. He held an inquiry as regards one particular school which used to maintain a Persian teacher on Rs. 30 a month. He held consultations with the authorities and came to the conclusion that the teaching was inefficient and he insisted upon the school authorities appointing a suitable teacher which the school authorities had to do. The result has been that within two years the number of Muhammadan students reading Arabic and Persian in that high school has risen from 10 to 85. This justifies me in saying that, if a proper provision is made for the teaching of these two languages, the number of Muhammadan students would certainly increase in our schools and colleges. It has been said that such provision has been made so far as Eastern Bengal districts are concerned, but if we examine the facts, we find that a good many Muhammadan boys take up Sanskrit as their second language, even in Eastern Bengal. Like the Hon'ble Sir Deba Prasad Sarbadhikari, I also do not object to Muhammadans taking up Sanskrit for academic distinctions or scholastic studies, but the difficulty is that they take up Sanskrit because the teaching of Arabic and Persian is not efficient and they cannot expect to get through the examinations, and the result is that they are driven to take up Sanskrit. The real object as to why we insist on Muhammadan boys taking up Arabic and Persian studies is not only that our religious books are written in those languages but for the fact that, without a proper study of Arabic and Persian, a Muhammadan loses in himself the Islamic character and also his position in Muhammadan society. The society demands that a Muhammadan must have the Islamic culture in him which can only be found in these two languages and he is also expected to know the ancient civilization and the history of his own race which are recorded in these two languages. I think so far as the objection of my Hon'ble friend, Babu Surendra Nath Ray, is concerned a sufficient reply has been given to him by the Hon'ble Sir Deba Prasad Sarbadhikari whose long experience as the Vice-Chancellor of the Calcutta University has given him opportunities of studying the Muhammadan education problem, and the conclusion he has come to about this matter must commend itself to all interested in Muhammadan education. As my Hon'ble friend, Maulvi Fazl-ul-Haq, has stated, the question of the advancement of Muhammadan education is so important that anything that ought to be done in this direction will have to be done not only in the interests of the Muhammadans themselves, but also in the interests of the province at large. We are told that we are handicapping the rest of the province. If that is so—and I admit to a certain extent it is true—then the earliest possible opportunity should

*Resolutions.**Mr. Dunn.*

be taken to remove this handicap and bring the Muhammadan on a par with Hindus so that the progress of the two communities may be parallel all along. The Hon'ble the Director of Public Instruction was kind enough to point out that the profession of the teaching of Arabic and Persian cannot be made in *all* colleges in Bengal, for instance it cannot be made in Sanskrit Colleges. But what we meant was that this provision may be made in colleges and schools where there were largely Muhammadan students. The task of getting admission into colleges has already become very difficult and there are two resolutions on the agenda paper to-day asking for provision to be made for candidates who have failed to get admission into colleges. Many colleges refused to take any Muhammadan boys because by taking them in they would not only have to refuse admission to Hindu students, but they will also have to take upon themselves the responsibility of making provision for the teaching of Arabic and Persian, but, by turning them out, they will be relieved of the responsibility of maintaining a separate staff. Some three or four years back when this difficulty first arose, I suggested, when discussing the Financial Statement, that some provision should be made for helping private institutions and aided colleges with the special object of maintaining Arabic and Persian teachers in order that Muhammadan boys may receive education and may not be refused by any institution on that account. We have been told that, out of 13 colleges, only 4 are affiliated in Arabic pass. That is true. Most of the boys find difficulty in getting admission into colleges and the Muhammadan boys find it more difficult still. I remember the case of a Barisal student who took Arabic for his I. A. examination. He came to Calcutta and tried to get admission into one college which taught Arabic there. He could not get admission. Then he came to Dacca and by the time he came here the class was full and he could not be admitted. He went back to Barisal and ultimately he had to give up his studies altogether. So it must be admitted from the case I have just cited, as also that of Burdwan cited at the beginning of my speech, that, if suitable arrangements are made for the teaching of Persian and Arabic, there will be no lack of students. I may also cite another instance, and it is also perhaps known to the Hon'ble the Director of Public Instruction that in my district of Burdwan there was a school in which arrangements were made for the teaching of Arabic and Persian. Unfortunately at that time there was no vacancy in the grants-in-aid list, no grant-in-aid was made to it, and the school had to dispense with the services of the Persian and Arabic teachers. The Secretary and Proprietor, having failed in business, could not pay the cost of keeping them. We tried our best to secure a small grant-in-aid from the Education Department for that school in order that it might keep up its Persian and Arabic classes, but for the reasons stated above, we were unsuccessful, and the result has been that a large number of Muhammadan boys had to be sent away. These are the grounds on which I have brought forward this resolution and I think there will be no harm in accepting it."

The Hon'ble Mr. Dunn said :—

"My Lord, I should be extremely unwilling to create the impression from any remarks which I found it necessary to make that my sympathies were not whole-heartedly with the Hon'ble Maulvi Abul Kasem in the general intention of his resolution. I think his purpose will be served if the resolution were to be as follows :—

'That provision for the teaching of Arabic and Persian be made in schools and colleges in the Presidency in all cases where, owing to the presence of Muhammadan students, such provision is desirable.'

*Resolutions.**Maulvi A. K. Fazl-ul-Haq ; Mr. Dunn ; Maulvi Abul Kasem.*

If that resolution be accepted I would like to take this opportunity of promising that, through the agency of my office and the Inspectors, a complete survey will be made of the existing provision for the teaching of Arabic and Persian and that such cases as the Hon'ble Member has referred to in the district with which he is connected will be very carefully attended to. The general intention of the resolution is, I take it, clear and with the slight emendation which I have made, it will not only be clear but from the point of view of procedure more acceptable."

The Hon'ble Mr. Fazl-ul-Haq said :—

"Ordinarily I would not have the right of reply, but having regard to the fact that the next resolution which stands in my name on the same subject cannot now be moved, I beg your Excellency's permission to say these few words. The resolution, as now drafted, by the Hon'ble the Director of Public Instruction does meet our demand to a very great extent, but I would only ask him to consider—better still to reconsider—words at the end of the resolution which read thus : 'owing to the presence of Muhammadan students, some such provision is desirable'. My Lord, that at once involves an argument that in all cases where there are no Muhammadan students in colleges no provision seems to be necessary. I knew that argument, and it is often hurled at us that where there are no Muhammadans it may be taken for granted that there is no demand for the teaching of Arabic and Persian there. This argument is fallacious. If there are no Muhammadan students I may assure the Hon'ble the Director of Public Instruction, the absence is due to the fact that there is no provision for the teaching of Arabic and Persian. I do not think it is unknown to the Hon'ble the Director of Public Instruction that there are some very devout Muhammadans whose religious susceptibilities are such that they would rather keep their children uneducated than send them to a school where there is no provision for the teaching of Arabic and Persian, I submit that the question should not be left vague depending upon the presence or absence of Muhammadan students alone. I urge that this provision has got to be made. With these few remarks I would suggest that the Hon'ble the Director of Public Instruction might be pleased to reconsider his draft."

The Hon'ble Mr. Dunn said :—

"I would amend it again as follows :—

'That suitable provision for the teaching of Arabic and Persian be made in schools and colleges in the Presidency in all cases where owing to the presence of Muhammadan students or owing to the demands of the Muhammadan community such provision is desirable."

The Hon'ble Maulvi A. K. Fazl-ul-Haq said :—

"I will accept it."

The Hon'ble Maulvi Abul Kasem said :—

"I also accept it and I am sure it will meet with the approval of those for whom we are speaking to-day."

The Hon'ble Maulvi A. K. Fazl-ul-Haq said :—

"My Lord, we beg to offer our thanks for the kind consideration that has been shown to us."

The motion was then put and agreed to.

*Resolutions.**Babu Surendra Nath Ray.*

The following Resolution which stood in the name of the Hon'ble Maulvi A. K. Fazl-ul-Haq was deemed to be withdrawn :—

This Council recommends to the Governor in Council that suitable provision for the teaching of Arabic and Persian be made in all colleges and schools in Bengal.

LIST OF BUSINESS—ITEM No. 14.

The Hon'ble Babu Surendra Nath Ray moved the following Resolution :—

This Council recommends to the Governor in Council that the question of improving the status and condition of the Dacca School of Engineering be taken up at an early date.

He said :—

My Lord, the members of this Council are probably aware that the Dacca University Commission Report expressed strongly in favour of incorporating a College of Civil Engineering in the Dacca University. It was at one time contemplated by Government practically to knock down on the head the present Sibpur Engineering College and replace it by an Overseer Class, whereas Dacca was to have a residential well-equipped college for Civil Engineers. I moved a resolution in your Lordship's Council on the 28th February 1914 asking your Lordship's Government to drop the proposal for the abolition of the Sibpur Engineering College. Government did not then give any assurance as regards the retention of the Sibpur Engineering College, but intimated that the question would be considered after the publication of the report of the Public Services Commission. We have, however, now an assurance from the Government that the Sibpur Engineering College will not be abolished nor will its usefulness be curtailed. While opposed to the interference of Government with the usefulness of the Sibpur Engineering College I have never been opposed to have a good Civil Engineering College at Dacca as part of the Dacca University. But after the Report of the Calcutta University Commission I do not think I should be justified in asking for a full-fledged Engineering College at Dacca. But I think the present School of Engineering at Dacca may be made useful in various other ways. It is very doubtful whether during the period of post-war reconstruction in Europe, there will be a supply of Engineers from England to this country, except of a very indifferent type who, having failed to receive employment there, will try to secure employment in this country. We must therefore have an adequate supply of our own in order that we may take the fullest advantage of the opportunities for industrial development which are likely to present themselves in this country.

That the Engineering classes of the School of Engineering at Dacca are popular and that there is not sufficient accommodation for those who want to get admission is quite evident. It is only the other day that the Hon'ble the Maharajadhiraja Bahadur of Burdwan was pleased to allow 10 additional boys to be admitted in the Sub-Overseer class and 10 additional boys in the Overseer class and I think he has also directed two additional teachers to be appointed. At present in the Dacca Engineering School boys are taught up to the Overseer or Upper Subordinate class.

In these days when the industrial development is the most important question before the country I think greater attention ought to be paid to the technical studies than to the studies of Arts course and as a matter of fact people have come to recognise the utility of such studies. They want to enter the technical department, but they find that they cannot qualify themselves properly for want of proper places of study and training. I ask your Lordship's Government to make the school as it is more satisfactory and to

*Resolutions.**Babu Surendra Nath Ray.*

increase its utility so far as possible. I would suggest that there should be a revision of the scheme of technical education, and progressive and continuous course of study should be provided from the first year B class to the Final Overseer class. The Survey courses at Mainamati and at other places should be of the same kind. The Mainamati School staff is of inferior quality. There ought to be better qualified teachers in Dacca as there will not be a full-fledged Civil Engineering College at Dacca at least for the present. Steps may be taken from now for the development of the present School of Engineering. The present arbitrary limit to the admission of boys ought to be done away with.

In Dacca, in the new three years' course curriculum great importance has been given to theory rather than to workshop practice. A number of new subjects, *i.e.*, Sanitary Engineering, Higher Mechanics, Accounts, etc., have been added to the already heavy old four years' course and practice, and practice in four different workshops have to be done in three years. I understand the new course has got no teaching in Physical Science and Chemistry for the Sub-Overseer classes. The general principles of the above subjects are the foundations of technical and industrial education. I am informed that practical survey teaching suffers a great deal as the students are sent in batches for want of accommodation in camp. The number of teachers for teaching theoretical subjects are inadequate. There is also not sufficient accommodation for class rooms even for the Overseer and Sub-Overseer departments, not to speak of the new Survey Class.

The want of pioneering and demonstration sections for converting raw material to useful articles of commerce and a suitable course of study and training in the higher technical institutions of the country are the main causes contributing to the failure of industrial development of the country. Industry cannot thrive till the workers are thoroughly trained in demonstration shops just after their full course of education in a technical institution. I think as much practical training as is possible in a School of Engineering ought to be imparted in the Dacca School of Engineering. Considering the importance of the big workshop of the Dacca School of Engineering, it should be put under a highly qualified Foreman Instructor who knows the working and management of a concern like this and whose teaching may be of real help to the students who want to devote their time and energy for the development of the industries of the country.

From the curriculum of study in the Dacca School of Engineering I now pass on to another subject connected with the school. I mean the pay and prospects of the teachers and the administration of the school. In the recently created Calcutta Commercial Institute, the teachers are designated as lecturers and they have a very good initial salary to start with, though they are much junior to the Engineering Institution teachers, the former teaching such subjects as Arithmetic, Geography, Book-keeping and Type writing. I think some of the teachers of the Dacca School of Engineering possess the qualifications of any ordinary teacher in a second grade college. They are either graduates fully trained or specialists in their own line. They have been entrusted with a course of study the subject of which are much above those prescribed for the I. Sc. examination. The four Assistant Foreman Instructors deserve better emoluments and ought to be accommodated in the school itself.

I think there ought to be a separate Principal for the Dacca School of Engineering. The present Principal is a general department man and cannot possibly understand the nature and wants of a technical school. The Dacca School of Engineering ought to have a governing body to control the internal affairs of the school. These are some of my suggestions.

*Resolutions.**Maharajadhiraja Bahadur of Burdwan.*

I was quite delighted to see the Dacca School of Engineering this morning. Nearly 200 boys were working in the different workshops. Those who in season and out of season take a delight in stating that the Bengali boys of the *bhadralok* class were unfit for manual labour or that they think it beneath their dignity to do so and are therefore unfit to be admitted in large numbers to Technical Institutes will do well to come over to the place once and see with their own eyes how zealously and assiduously these boys have taken to the practical part of their work.

One of the grievances of the students is that there is no guaranteed post for the first boy of the Overseer class of this school as there is in the Sibpur Engineering College, though the course of study is the same. This is a matter which the Government will do well to take into consideration.

I need hardly impress upon your Lordship's Government the necessity of remodelling the present School of Engineering at Dacca and of placing it on a better footing.

We are fully alive to the steps already initiated by the Hon'ble Maharajadhiraja Bahadur of Burdwan in this direction, and the country is grateful for the same. The number of students who are coming out from our schools every year is increasing by leaps and bounds. They cannot all expect to take to law. Nor can they all expect to take to medicine. It is therefore necessary that they should take to other professions. A properly equipped Civil Engineering School at Dacca means in addition to the impartation of knowledge of Engineering, laying the foundation of industrial development of the country of giving an impetus to the home industries for which Eastern Bengal is a congenial place to thrive."

The Hon'ble the Maharajadhiraja Bahadur of Burdwan said :—

"My Lord, the resolution before us to-day has been worded in somewhat indefinite phraseology and I may say that it is wide and does not really say exactly what the line of improvement the Hon'ble mover has in view, but in his speech he has given us indication as to the kind of improvement which he has in view with regard to the Dacca School of Engineering. I may say at once that I have been taking a certain amount of interest in the School of Engineering, since I came to Dacca; and I am fully convinced that the Government should improve the institution so far as it may be possible to do so. On the other hand I am glad that the Hon'ble Babu Surendra Nath Ray realises that Dacca, placed as it is, cannot for the present at any rate expect to have a fully-equipped engineering college, and anyone who goes through that portion of the Calcutta University Commission's report which deals with the University at Dacca must come across the fact that the Commission itself has considered this matter about an engineering college for Dacca and has come to the conclusion that there are certain obvious reasons against its establishment in the near future at any rate.

I now turn to the Dacca School of Engineering. I think when I briefly state and indicate what action Government have already taken to make the school a more efficient and complete school of engineering, and what proposals I have already sanctioned on behalf of Government or are about to sanction that I shall have met the Hon'ble Member's intentions to such an extent that it will not make it necessary for him to press the resolution which he has moved to-day. In the first place now that the Calcutta University Commission Report is out we have got to consider the Dacca University scheme as soon as the Government of India introduce a Bill with regard to the establishment of that University. I have gone into the question of the future site of the school of engineering. Two local gentlemen very kindly gave me exhaustive notes against

*Resolutions.**Miharajadhiraja Bahadur of Burdwan.*

the site proposed by the Government as well as discussed by the University Commission in their report, namely, the old Secretariat Press of the late Eastern Bengal and Assam Government. I am mentioning these facts to-day because these two gentlemen would no doubt like to know what the Government think of the site that they had in view. I was to have gone to see the place, but unfortunately I got an attack of influenza and, as Major Gourlay came and told me that there were 140 cases of influenza in the vicinity, I thought it best to stay away. Mr. Goode has been to see the place on behalf of Government and also Mr. Dunn, and both of them have reported against the place as being most unsuitable for the engineering school, therefore at present the Government's proposal is to transfer the school to the commodious building which is known as the old Secretariat Press. I have myself seen the building, and I consider that we can adapt it for the engineering school. I may here point out that the University Commission considered the building to be too substantial and magnificent for the purpose; I am afraid I do not agree with them on the point. But this point need not be discussed as the University Commission themselves eventually thought that this was the place where the school of engineering could be removed to. What is important is that this large and growing school should be well-housed, and as this fine building is lying vacant for some years now, I can personally perceive no better use to which it can be put than that of accommodating the Dacca School of Engineering. There are, however, several other matters in connection with the school which will perhaps interest the Hon'ble mover of this resolution more. A very sound proposal was made some time ago by the Joint Technical Board to appoint a strong expert governing body and to assist the present Headmaster as he is at present fully occupied with the administration of the school. The Hon'ble mover of this resolution has also advocated that we should go into the question of the governing body. I cordially accept the suggestion which remained pending so long, and I have just passed orders for the constitution of the governing body and to bring final proposal before me regarding the powers which they will enjoy. The question of staff is a very important and urgent one, and I am satisfied that the school is at present understaffed, and I think that the pay and prospects of certain members of the staff should be improved. As the Hon'ble mover has already made a reference I do not again mention the subject, but I have already sanctioned two additional temporary hands, and the final question of staff will be gone into as soon as the matter has been considered by the Finance Department to whom we are making a reference now. It has, moreover, been brought to my notice that the equipment of the school is in some respects deficient, and that the instruments which the Headmaster of the school requires are not complete. The question of equipment is now being considered by the Director of Public Instruction, and I hope that the matter will be remedied soon.

Then again the Hon'ble mover has mentioned the question of the Dacca School of Engineering having a Principal of its own and of the removal of the nominal subordination of the school to the Dacca College. I have directed that the Headmaster in future should be designated as the Principal, and the question of extending some of the classes will also be at the same time considered.

The Hon'ble Babu Surendra Nath Ray has among other things laid stress on the point of reviving the second-year survey class in the school. Regarding that all that I can say at present is that the Joint Technical Board have been going into the matter again, and I believe that they have come to the conclusion that the second-year survey class in the Dacca School of Engineering can be revived, keeping the survey class at Mainamati as well. If that is so, and if the proposal come up to Government, I can assure the

*Resolutions.**Babu Surendra Nath Ray; Maulvi A. K. Fazl-ul-Haq.*

Hon'ble Member that the proposal will receive the closest attention, and if it is possible to revive it again, we shall do so.

Turning now to the other point that he has mentioned in connection with the admission of more students, well that is a general complaint. I have, as I have already said, been able to admit some additional students this year, and I trust that with the additional staff and with the removal of the school to a more commodious building we may next year be able to receive a considerably larger number of students, and if the number of would-be entrants justify this, we shall then be prepared to consider the question of doubling the class or duplicating the staff in consequence. But beyond that I cannot promise. I think the Hon'ble Mover of this resolution will see that some of the questions that he wanted to press before the Government have already been taken up by the Government, and therefore there is no necessity for him to press the resolution at this stage."

The Hon'ble Babu Surendra Nath Ray said :—

"After hearing the Member in charge I do not think I should be justified in pressing the resolution. It appears that, in fact, all my recommendations are now before Government and some of them have already been carried out. First, as regards the governing body the Maharajadhiraja Bahadur accepts my recommendations; as regards the staff he thinks that their pay and prospects ought to be improved; as regards the equipment of the school he says that it is now being considered by the Director of Public Instruction; as regards the Principal, my suggestion is that the Principal ought to be a different man to the Principal of the local college; that proposal also he is prepared to accept. Then as regards the second-year survey class, it can be revived, and as regards the admission of more students he is quite justified in saying that with additional staff and additional accommodation in the new Secretariat Press Building the question will be favourably considered. So in these circumstances I do not think I would be justified in pressing the resolution, and I beg leave to withdraw it."

The motion was then, by leave of the President, withdrawn.

LIST OF BUSINESS—ITEM No. 15.

The Hon'ble Maulvi A. K. Fazl-ul-Haq was to have moved the following resolution :—

This Council recommends to the Governor in Council that a Committee be appointed to inquire into the circumstances connected with the abolition of the Electrical and Mechanical classes in connection with the Dacca School of Engineering.

He said :—

"My Lord, I understand that the question of the improvement of the condition of the Dacca School of Engineering is under consideration, and in that case let me hope that the question of the abolition of the mechanical and electrical classes will also be taken up. In these circumstances I do not think I should press my proposal for the appointment of a committee and with the permission of the President I beg to withdraw the resolution."

The motion was then, by leave of the President, withdrawn.

*Resolutions.**Rai Radha Charan Pal Bahadur; Babu Akhil Chandra Datta.***LIST OF BUSINESS—ITEM No. 16.**

The following resolution stood in the name of the **Hon'ble Rai Radha Charan Pal Bahadur** :—

This Council recommends to the Governor in Council that out of the educational grants provided in the current year's Budget, a sum of Rs. 50,000 be granted to the promoters of the proposed Howrah College for the purpose of building the College.

The Hon'ble Member being absent, the resolution was not moved.

LIST OF BUSINESS—ITEM No. 17.

The Hon'ble Babu Akhil Chandra Datta moved the following resolution :—

This Council recommends to the Governor in Council that the Government of India be moved to sanction a special monthly war allowance for six months to all Government servants in Bengal drawing not more than Rs. 100 a month at the rate of 10 per cent. of their respective salaries.

He said :—

“My Lord, the principle underlying this resolution is not a matter of controversy. As a matter of fact the principle has been recognised in the Government resolution of the 12th June 1919, and with the object of affording some measure of relief to all Government servants, certain concessions have already been made to these ill-paid ministerial officers, so I need not take up the time of the Council in labouring the principle. All that this resolution seeks to recommend is this : that by the concession made by the resolution of the 12th June relief has been granted to this extent, namely, ranging from Re. 1 to Rs. 2-8. I have taken the liberty of recommending that the concession should be a little larger so as to make the relief really appreciable. What has been given is this. Rupee 1 in these days can purchase only 4 seers of rice. Taking an average family to consist of 5 members really what has been given means less than a seer of rice a month, and in the case of the maximum concession, namely, those who get over Rs. 40 and not over Rs. 50, in their case the monthly concession has been given at Rs. 2-8. According to the calculation that I have made it is something like 2 seers per head. I leave it to Your Excellency to consider whether that is a relief which is at all appreciable. Of course this is a case between masters and servants. These low-paid officers are the servants of Government and the whole question is whether they deserve consideration at the hands of the Government in a critical time like this. Some concession has already been made, and according to my calculation the rate comes to something like 5 per cent. in all these cases. I have ventured to demand 10 per cent. on behalf of these unfortunate officers. I should think, my Lord, my demand is rather meagre, but having regard to the difficulty which Government are bound to experience in meeting this extra cost, I have thought fit not to make a larger claim.

There is only one other matter which this resolution seeks to recommend. It is somewhat different from the concession already granted. In that resolution concession has been granted to those who draw below Rs. 50. Now, my Lord, even those ministerial officers who draw Rs. 100 are hard hit by the prevailing high prices, and living in the midst of these people we know what these men are really suffering. Your Lordship will excuse me if I submit that it is rather difficult for members of the Government to be able to realise the amount of their sufferings. I am inclined to think that if the Government

*Resolutions.**Sir Henry Wheeler.*

really knew the true extent of their sufferings, possibly Government might have been induced to make the concession a little larger. There is one other matter to which I would like to invite Your Excellency's attention, and it is this that in the resolution of the 12th June concession has been made to those whose pay is over Rs. 12; there is a large class of people whose pay is less than Rs. 12. I do not know the principle upon which these people have been excluded, probably because they were in the enjoyment of some grain compensation allowance. If not, their case should be considered also. This morning a Bill was introduced for the prevention of cruelty to animals, and I should think that if this concession were not granted it would be an act of cruelty as well. With these observations I press this resolution for the consideration of the Council."

The Hon'ble Sir Henry Wheeler said :—

"My Lord, this resolution is the first of three of a somewhat kindred type, in so far as they all deal with the pay of the ministerial officers of Government, though this one is of a more specific character than the other two in recommending the grant of relief with reference to existing post-war conditions. But the economic conditions which have brought about this resolution have equally brought about the other two, and so far as I now make any remarks of a general character, they will be equally applicable to the two other resolutions which follow.

The resolution which the Hon'ble Babu Akhil Chandra Datta has just moved is very like a resolution that was moved last August by the Hon'ble Maulvi Faz-ul-Haq, which differed only in that it did not make a specific recommendation of a 10 per cent. enhancement. I then opposed that resolution, partly, it is true, on the ground that at that time food prices were fortunately not high. Again in March last, the Hon'ble Rai Mahendra Chandra Mitra Bahadur, in connection with the financial statement, moved a very similar resolution in Calcutta, and in connection with that I promised to consider it to the extent of giving relief to men drawing Rs. 30 and under. In answering those two resolutions, I stated the facts to the best of my ability, and I am afraid, therefore, that I have nothing very new to say on this occasion.

Of the economic facts we are, of course, only too painfully aware; whatever salary we are in receipt of, whatever position we occupy, this enhancement of prices is brought home to us in every purchase we make, and Government fully sympathises with the hardship which is being caused thereby to its more lowly paid servants. Cultivators have, to a certain extent, compensations, for with the prevailing high prices the agriculturist gets better prices for his produce, as, for instance, he does at the moment for his jute. But these compensations are not open to the Government clerk, and we cannot but sympathise with his position and appreciate the loyalty with which he has continued to do his work for Government despite the adverse circumstances which surround him. But there are facts what we cannot forget. I have been told before that I offer but poor comfort in pointing out that the whole world is suffering from this hardship of high prices, yet although it may be only cold comfort it is essential to remember that the whole world is a victim of the misfortunes that have come upon us on account of the war. It is perfectly impossible for this Government, with the best intentions in the world, to save their servants from the effects which are common over so wide an area. We can sympathise but we cannot entirely save. Our sympathy, moreover, has not only been lip sympathy; we have tried to do something for the more lowly paid, and that little we have done. The Hon'ble Babu Akhil Chandra Datta may call it wholly inadequate, but what we have done has involved us in a very considerable expenditure.

*Resolutions.**Babu Akhil Chandra Datta.*

Our first action was directed towards the relief of menials, and I explained its character in this Council room last August. I think the Hon'ble Member must be under some misapprehension in saying that we have done nothing for those drawing under Rs. 12; we raised the pay of all menials according to a revised classification of districts to Rs. 10, 9 and 8, and we gave an extra rupee to those drawing less than Rs. 12. That was what we first did, and that has cost us some 4 lakhs of rupees. As a result of the August discussion, I only promised in Council that we would try to do something up to Rs. 30; when we came to look into the matter further we thought that there was a case possibly for doing a little more, and we gave relief up to Rs. 50. That cost us Rs. 3½ lakhs, so, therefore, we have, at least, in recognition of the consequences of the war, incurred an expenditure of 7½ lakhs, and our difficulty in going further is simply one of practical finance. If we were to concede this resolution, we estimate, on a rough calculation, that enhancing the pay of those under Rs. 50, *i.e.*, in raising it from 6 per cent. at which, approximately, it is now, to 10 per cent., would cost us Rs. 1½ lakhs, and giving 10 per cent. to those between 50 and 100 would cost us another 4 lakhs; so in addition to the expenditure of 7½ lakhs, this resolution, when we put it in figures, is a practical request that we should disburse another 5½ lakhs.

We feel that we are not justified in accepting that expenditure at the present moment. I have previously said in this Council, and have drawn the attention of Hon'ble Members to the fact, that our financial position under the Reform Scheme is not going to be a very advantageous one; since I last spoke on that topic we have made a more detailed examination of the figures, and the position has come out rather worse, I might say considerably worse, than what we anticipated. We have now got to discuss that question with the Government of India, and until we discuss it with them we really are very much in the dark as to what our future financial resources are going to be. Unless we receive a full recognition of our claims from the Government of India, our position will be one of some difficulty. A second objection is that these are not the only claims upon us. We see how these matters grow up; we give relief up to 6 per cent., and a few months later we are asked to go up to 10 per cent.; we give relief up to men on Rs. 50 and we are next pressed to go up to Rs. 100; while resolutions are constant in this Council asking us to do something for the sub-deputy collectors on Rs. 100, for the munsifs on Rs. 200, and so on. A matter to which attention has been prominently drawn in the recently published report of the University Commission is the inadequate pay of teachers, and any one can see that within the next few years their claims are going to be very forcibly represented. We are also faced with the possibility of having to raise the pay of the lower ranks of the police, and as regards constables especially recruitment may be affected by recent improvements in the pay of sepoys. Again, although we have given menials relief to the extent of Rs. 4 lakhs, the full scheme, if carried out, will cost us about Rs. 17 lakhs, and I could give other instances of a like type. These are all practical reasons which tend to staunch the flow of our sympathy, and we do not feel that we can, as a matter of fact, go much further than we have. On these grounds I am afraid that I cannot accept the resolution."

The Hon'ble Babu Akhil Chandra Datta said :—

"My Lord, this is not a matter upon which there can be any argument. As regards the arguments based on the fact that there are munsifs and sub-judges, and so on, I should like to say this—that there is a remarkable difference between the case of those who are given only a living wage and those officers in whose case there is some margin. The ministerial officers receive a pay which does not allow any margin. That is the difference, my

*Resolutions.**President; Babu Akhil Chandra Datta.*

Lord. But if Government find that the financial position is such that it is impossible to make further concession, then, of course, I do not think I can press my resolution. I leave the matter to Your Excellency's Government."

The motion was then, by leave of the President, withdrawn.

LIST OF BUSINESS—ITEM No. 18.

The President said :—

"Items 18 and 19 raise substantially the same question and it will be convenient if they are both discussed together. I shall, however, be prepared to put them to the vote separately from the chair."

The Hon'ble Babu Akhil Chandra Datta moved the following resolution :—

This Council recommends to the Governor in Council that the Government of India be moved to raise the initial pay of the ministerial officers in all Government offices in Bengal to Rs. 40 per month.

The Hon'ble Babu Akhil Chandra Datta said :—

"My Lord, the present scale was fixed in Western Bengal in 1906, I believe, and in Eastern Bengal so far as my recollection goes in 1911 or thereabout. Now the question is that the initial pay of Rs. 30 was fixed on the principle that it was adequate to furnish the employes with reasonable incentive to work honestly and conscientiously, but that amount was fixed because that was considered to be the lowest living wage for a man of the middle class. I take the liberty to read this passage from the report of the Ministerial Officers' Committee of Eastern Bengal and Assam of 1908-09 :—

'From these figures it is apparent that the prospects of an officer attaining, under present rules, a pay of Rs. 50 or over in the course of his service are remote, that to many a pay of less than Rs. 40 a month must be the ultimate goal of their ambition and that a great part of the official life of the majority will be spent in posts in which they will draw less than Rs. 30. The decision of the question whether on the whole the pay is adequate therefore depends to a considerable degree on the answer to the question whether a pay of less than Rs. 30 is such as will enable a man of the amla class to live in ordinary comfort and meet the reasonable expenses of men of the same class. To this question we have sought an answer from many sources, and the replies we have received lead us to the conclusion that there is no room for doubt that Rs. 30 a month is the very lowest sum which can be held to be a living wage for men of the amla class even at the beginning of their service. The facts and figures given in chapter X of the report of the Salaries Commission shows that even in 1885 Rs. 30 a month was as little as a man of the amla class could live on with comfort. In the twenty years which have passed since that report was drafted the cost of living has undoubtedly increased, and it is only on the most parsimonious scale that Rs. 30 will now suffice even for a man with a very small family.'

That was the principle, my Lord, underlying the scale that was fixed in 1908-09, because that was considered to be the lowest living wage without any reference to the question as to whether that pay could furnish a reasonable incentive to work honestly and conscientiously. Now, my Lord, if Rs. 30 was the lowest living wage even in 1885 and if Rs. 30 was considered to be parsimonious in 1905, then the question arises what is the present position in view of the fact that the prices of all articles, of all necessaries and of all essentials have risen very abnormally. Now there are two estimates given about the reasonable expenses—bare necessities of

*Resolutions.**Babu Akhil Chandra Datta.*

life. These two estimates were given to the Ministerial Officers' Committee by two gentlemen of Dacca, namely, Khan Bahadur Khwaja Muhammad Yusuf and Rai Kali Prasanna Ghosh Bahadur. It will appear from these two estimates that according to the estimate of the Khan Bahadur Rs. 35 was the minimum expenses necessary for the ministerial officers: they could not do with less, and according to the other estimate—I mean the estimate of Rai Kali Prasanna Ghosh Bahadur—it was Rs. 30. Now if one goes through the items of these estimates it will be perfectly clear that prices have increased at least doubly in each one of these items. So that according to that calculation the lowest living wage should be held now to be Rs. 70 according to one estimate and Rs. 60 according to the other estimate. That is also borne out by the figures which were furnished by Your Excellency's Government in answer to a question of mine at the meeting of 3rd July last. From that statement it appears that the prices of necessities of life have increased very very considerably—in some cases double, in some cases a little less than double, and so on. Therefore it is a very serious question as to what the initial pay of these officers should be. Your Excellency may well realise the inevitable results of inadequate pay. Without describing that in my own words I shall place before the Council a graphic description given by the Ministerial Officers' Committee in 1908 about the inevitable result of such an inadequate pay. In paragraph 28 of the report it is stated:—

'From the low pay, the method of recruitment and want of training flow general inefficiency and—what is by far the most serious defect—the canker of corruption which has eaten so deeply into the ministerial staff. As the figures in paragraph 22 show, 57 per cent. of the staff must either depend in part on private means for their existence or must subsist by dishonesty, and if we count in the apprentices, the percentage rises to 64. Of private means amla and apprentices as a class are not possessed to any considerable extent. Mutual help, when there is a family party in the office, may keep some on low pay or no pay from the path of dishonesty; but the Committee feel it is no exaggeration to say that fully one-half of the low-paid officers and of the apprentices live on what they, by illicit methods, extract from the public. The methods resorted to are many. As in 1885, so now, information is sold to the public which either it is in the interest of the Government to keep secret or which can only be obtained legitimately by payment of fees—delay is caused or procedure is expedited in return for a suitable douceur—processes are issued or not issued, served or not served, to suit the convenience of the man who bribes the highest, papers disappear or reappear mysteriously, and in extreme cases, when the cash equivalent is forthcoming, records are tampered with, at times, in the most ingenious and, at times, in the most barefaced manner. The records of all or nearly all districts afford abundant instances in which dishonest dealings on the part of the office employees have been detected. But detection in such matters is a mere accident since it is neither in the interest of the briber or the bribed to disclose the transaction and the fellow officers of the bribed who mostly "live in glass houses" even if they know of the transaction will not disclose it unless impelled to do so by enmity. It is of course not the men on low pay only who take bribes. A habit once acquired is not easy to shake off and the officer who was driven by necessity to take bribes while his pay was low finds the habit cling to him and even if he, when he has a living wage, desire to be honest he must often find that he cannot free himself from the mesh of the professional briber.'

Then, my Lord, the question discussed there is what is the remedy of this state of things. The recommendation of the Committee on the question is given in paragraph 30—

*Resolutions.**Maulvi Abul Kasem.*

'First and foremost it is clearly essential that to every clerk who is employed in any capacity a living wage should be assured. This alone will not eradicate corruption; but at least it will reduce to a temptation, which can be resisted, what is now an imperious necessity, and will make it possible for all clerks to begin and run their official course without resort to dishonesty. To effect this it is in the first place necessary to raise the initial pay to Rs. 30.'

Under these circumstances the initial pay was raised to Rs. 30 in 1908-1909.

Now the question arises as to what is the lowest living wage now. That is a problem which Government ought to solve undeterred by the consideration that it is a question of great financial responsibility. It is true that the little concessions that have been granted to the menials have involved Government in a very large expenditure of about 7½ lakhs, but none the less that is a problem which must be solved. If Government do not do anything for these ill-paid clerks then they will eke out their existence by means of corruption. They must live and they must have their food to keep their body and soul together. Of course there is the question of luxuries, but that is a different matter. When the lowest living wage is very much more than Rs. 30, then the question arises how will they meet their wants. As I have already submitted they must live whether Government increase their pay or not. If the pay is not increased, they will have no other alternative left but to take to corruption. Now what is corruption, my Lord? It only means that they will have their money from the rate-payers at large not honestly but dishonestly by the back door. So if the whole question is analysed and critically examined it makes no difference whether that money makes its way into their pocket in the shape of bribe or in the shape of increased pay—I mean so far as the rate-payers of the country are concerned it makes no difference. So even according to that calculation it is high time, my Lord, that the whole question should be discussed and inquired into. What I wish is nothing more than that. I must admit that I have made a specific recommendation, because if I am to move a resolution like this I must make a specific recommendation. I do not pretend to say that the recommendation that I have made is very precise or exactly what it ought to be. That is a matter which must be left to Government and it is not for me to submit, but in any case, it is high time that the question as to what should be the lowest living wage, according to the present prices of things, should be considered, and after coming to a decision on this point the lowest living wage should be given to them by way of increment.

With these observations I beg to commend this resolution for the acceptance of the Council."

The Hon'ble Maulvi Abul Kasem said :—

"My Lord, I rise to speak on this resolution. As has been observed by Your Excellency it is substantially the same as the one which stands in my name in general form. The question of the pay and prospects of ministerial officers should be in my humble opinion considered by Government without any further delay. I am not one of those who believe that simply by raising the pay of the ministerial officers corruption in the public courts and court offices will disappear like magic. They will not be able to do away with the habit which has a tradition of centuries behind it, but it is hoped that if they get living wages as has been remarked by my friend opposite, and if they are not driven to corruption, they will be more careful and it may gradually in the long run disappear. They will not, as they do now, venture boldly and openly to carry out corruption without any check because the only people who can bring about a check is the public at large,

*Resolutions.**Maulvi Abul Kasem.*

and the public will hesitate to bring it to the notice of the authorities because they know that these poor clerks do not get a living wage. My Lord, I am sure we will have the sympathy of Your Excellency's Government in our endeavour to better the unfortunate conditions of the ministerial officers of Government, and I am afraid we will be told that the financial position of Government does not admit of taking a large step at the present moment, just as we have been by Sir Henry Wheeler, and that any substantial increase in the pay of ministerial officers will also involve the expenditure of a large amount of money. So far as we can see our financial condition is not very good and we have found it difficult to meet several of our pressing demands, but we know that whenever Government want to have something done they get the money for it, and they have it done without any very great difficulties. The present high prices have affected all classes of people, not only the poor men but the men in affluence as well. The pinch is felt all over the ladder, but everyone will agree with me when I say that the lowest rung of the ladder feels more keenly than the highest. Government have been more than considerate in considering the question of pay and allowances and the prospects of the various Imperial services, for instance, Medical, Civil, Police, Forest, etc., and money has been found for the improvement of the pay of these highly paid officers. We do not grudge them this improvement, but we think that other unfortunate servants of the State who do more or less hard and responsible work should receive some consideration at the hands of their employers. My Lord, I think it is not necessary in order to make out a good case in favour of these ministerial officers to place all the facts before the Council because Government are fully aware of these facts, and I know, my Lord, that some orders have been passed granting small allowances to lowly paid officers. The Hon'ble Sir Henry Wheeler has observed that most of the lowly paid clerks have received some allowance, but I beg to submit that it is neither adequate nor sufficient and has left the matter practically where it was. I think for the efficiency and purity of these officers it is absolutely necessary that immediate steps should be taken to improve the pay and prospects of these ministerial officers. In the resolution of which I have given notice I have specifically confined myself to ministerial officers of Government in the mufassal, because my experience is limited to mufassal offices only. I venture to say that those in Calcutta offices somehow or other make their position felt on the Councils of Government, and they have opportunities of pressing their claims on the Members of Government which the poor ministerial officers in the mufassal have not, just as in the case of the members of the Indian Civil Service who have influential friends at Home who press their claims before the Secretary of State and the House of Commons. The Heads of Departments who are in Calcutta press the claims of their subordinates before Government and sometimes they get a higher rate of pay sanctioned for their ministerial officers. But the ministerial officers in the mufassal cannot put forward their claims through their heads of offices before Government as the conditions in one district are the same as those in other districts and unless all the district officers come forward with a particular proposal, it can receive no consideration. It is not likely that for the sake of the ministerial officers all the district magistrates and district judges are going to hold a conference and bring forward a recommendation. I think the ministerial officers in the mufassal have been so long neglected that it is now high time that their claims should be pressed before Government. My Lord, even the clerks, not the head clerks or head assistants, but ordinary clerks, in the office of the Commissioner of Police get Rs. 200 to Rs. 300 a month and they have been given increments, whilst the sharistadars in district offices, who, in my humble opinion, have far more responsible work to do than the clerks in the office of the Commissioner of Police, draw only Rs. 125 to Rs. 150. I think that the time has come when this question should engage

*Resolutions.**Sir Henry Wheeler.*

the attention of Your Excellency's Council, and I hope and trust that the decision which Your Excellency's Government will come to will be favourable to these lowly paid clerks."

The Hon'ble Sir Henry Wheeler said :—

Sir, it must be obvious from what I have recently said what action Government is likely to take in connection with these two resolutions. If we cannot see our way to give temporary relief to a restricted number in respect of special conditions, we cannot equally see our way to give relief to a larger number and on a more permanent basis. I have already asked the Council to consider my previous general remarks in reference to these two resolutions, and there is little more that I wish to say. However there are one or two points particularly apposite to these two resolutions, and it may be convenient to mention first the second resolution—that moved by the Hon'ble Maulvi Abul Kasem—as that has the wider scope of the two. This resolution makes the general proposal that steps be taken to improve the pay and prospects of all ministerial officers in the mufassal, and in opposing it I do not want our attitude to be open to misconception. We are constantly taking steps to improve the position of our ministerial officers. Hardly a day passes in the Financial Department that some cases of this kind do not come up. In this year's budget, we have made provision to improve the pay of the registration clerks who, as everybody recognises, were inadequately remunerated. As another example, it was only a few days ago that I approved a scheme for the improvement of the pay of the clerks in civil surgeon's offices in the mufassal, and we have a proposal before us for improving the pay and prospects of the lower division clerks in the Secretariat. These are some instances of cases that are constantly coming before us, some of which go through and some are rejected according to the estimation we form of their merits. But I take it that this resolution really suggests that we should open an enquiry of a general character. Revisions following an enquiry of a general character were made in Eastern Bengal in 1911, and in Western Bengal in 1906, and practically what we object to in opposing this resolution, is that we should, at this juncture, undertake a general investigation which, as we know by experience, always involves a very large bill. We demur to undertaking that now, for the reasons which I have already given, and in particular the present time could not be more unfortunately chosen for an examination of this kind. Conditions are abnormal now, but we hope, whether or not prices ever fall to the pre-war level, that at any rate they will fall to an appreciable extent. Should we therefore set on foot an investigation of this character now that everybody is obsessed and oppressed by these high prices, we should be in great danger of fixing normal rates on abnormal conditions. That, to my mind, whatever we may have to do in future, is a conclusive reason for deferring now any investigation of the kind which is proposed to be set on foot.

Coming to the resolution of the Hon'ble Babu Akhil Chandra Datta which deals merely with the initial pay of ministerial officers, and proposes that it should be raised to Rs. 40, the arguments of the Hon'ble Mover do not really amount to more than this : that recent economic developments have caused hardship. That, as I have already said, we fully admit. The position as regards the initial pay of the ministerial officers is briefly and roughly this : It is Rs. 25 in Western Bengal and Rs. 30 in Eastern Bengal : in Calcutta it is Rs. 40 in the Secretariat, and Rs. 30 in the offices of Heads of Departments. The question of adopting Rs. 30 as the minimum pay in both Western and Eastern Bengal has been under discussion for some time, and at this moment is merely awaiting the examination of a few remaining figures ;

Resolutions.

Babu Akhil Chandra Datta, Maulvi Abul Kasem, Maulvi A. K. Fazul-ul-Haq.

we expect to put this small concession through with as little further delay as as possible—that is to say, we are going to raise the initial pay in the Western Bengal districts from Rs. 25 to Rs. 30. A proposal to which I have just alluded relative to the lower division of the Secretariat also contemplates enhancing the initial pay from Rs. 40 to Rs. 50; and I very much fear—in the way these matters act and re-act upon one another—that it will have an effect even outside the Secretariat. So in that way certain things have been done, and certain things have been forced upon us, but for the reasons which I have just given, I would deprecate any general and sweeping investigation, or the raising of pay wholesale with one stroke of the pen from one rate to another. Action of that kind very often entails quite unexpected consequences. Obviously if we are to put up the *mufassal* rate to Rs. 40, we will be told that the Secretariat rate of Rs. 50 is quite inadequate, and so on. Therefore while we will try to consider individual cases that may come up before us from time to time as sympathetically as we can, we demur to any general investigations or enhancements of the kind contemplated by these two resolutions.

The Hon'ble Babu Akhil Chandra Datta said :—

“My Lord, I have nothing more to add, but I would press this resolution.”

The motion was then put and lost.

LIST OF BUSINESS—ITEM No. 19.

The following motion which stood in the name of the **Hon'ble Maulvi Abul Kasem** was then put and lost.

This Council recommends to the Governor in Council that steps be taken to improve the pay and prospects of ministerial officers of the Government of Bengal in the *mufassal*.

LIST OF BUSINESS—ITEM No. 20.

The Hon'ble Maulvi A. K. Fazl-ul-Haq moved the following resolution :—

This Council recommends to the Governor in Council that suitable instructions be issued to the officers concerned to ensure the selection of properly qualified persons to serve as jurors in the *mufassal*.

He said :—

“The recommendation contained in this resolution is of some importance in view of the fact that the system of trial by jury has now been extended to all the districts of the Presidency excepting of course Jalpaiguri and Darjeeling. In those districts, where the system of trial with the aid of assessors were in vogue, it did not very much matter if the assessors had not been very carefully selected because after all the opinion of the assessors was not at all binding on the Judge. But matters are different so far as jurors are concerned; and having regard to the finality which attaches to their verdict, it is of the utmost importance that care should be taken in selecting persons to serve as jurors. I do not wish to enter into the details of the arguments in support of my resolution, because I have reason to believe that the recommendation will commend itself to Your Excellency's Government.”

Resolutions.

*Maharajadhiraja Bahadur of Burdwan ; Akhil Chandra Datta ; President
Maulvi A. K. Fazl-ul-Haq.*

The Hon'ble the Maharajadhiraja Bahadur of Burdwan said :—

"My Lord, I accept the resolution on behalf of the Government. The object underlying it, namely, to ensure the selection of properly qualified persons to serve as jurors in the mafassal is one with which Government are in entire sympathy. But in this connection I should like to point out to the Hon'ble Mover that Government are already aware of the danger. What we propose to do is to draw the attention of the Sessions Judges of other districts as well to the circular on the subject and take such further steps as may be found necessary. Therefore we are willing to accept the resolution."

The motion was then put and agreed to.

LIST OF BUSINESS—ITEM No. 21.

The Hon'ble Babu Akhil Chandra Datta was to have moved the following resolution :—

This Council recommends to the Governor in Council to take such action as may be necessary to drop the proposal of making English the Court language in subordinate Courts in Bengal.

He said :—

"My Lord, I understand from the Hon'ble Member in charge that a communication has been received from the Hon'ble High Court saying that this proposal of making English the Court language has been dropped, and in view of this fact it is not necessary for me to move this resolution. I shall only say this : The news will be received by the country with a great sigh of relief ; there was such a volume of feeling in this matter."

The President said :—

"Does the Hon'ble Member wish to withdraw the resolution ?"

The Hon'ble Babu Akhil Chandra Datta said :—

"Yes, my Lord."

The motion was then, by leave of the President, withdrawn.

LIST OF BUSINESS—ITEM No. 22.

The Hon'ble Maulvi A. K. Fazl-ul-Haq moved the following resolution :—

This Council recommends to the Governor in Council that suitable instructions be issued to Magistrates in Bengal in regard to the trial of cases under section 110 of the Code of Criminal Procedure (Act V of 1898), particularly with a view to giving facilities to the accused persons—

(a) to defend themselves properly ; and

(b) to offer sureties for good behaviour after final orders have been passed.

He said :—

"My Lord, it may seem somewhat surprising to Hon'ble Members that I have been led to bring forward a discussion of this character in this Council. Ordinarily it is an accepted maxim that judicial independence of Magistrates should not be interfered with, and it may seem that circular

*Resolutions;**Mr. Graham.*

orders of instructions from Government might be interpreted to be an indirect if not a direct interference with their judicial independence. But I will briefly explain the objects which I have in view, and I hope it will be apparent to Hon'ble Members that the grievances of such a serious character, as I am going to describe, ought, in my opinion, to be remedied.

The first part of the resolution refers to the defence of persons under section 110 of the Code of Criminal Procedure, or, as is popularly known, the section relating to the giving of security for good behaviour in the case of the suspected person. The first difficulty which an accused person in such a case encounters—and I am speaking from personal knowledge—is this :

That the Magistrates who are required to try these cases in the mufassal generally hold the trial practically in the thana compound. It may be that it is considered, in the interests of the accused persons themselves, that the trial should be held if not in his own village at least in the vicinity of his village or, as it is popularly called, within the locality. But things become quite different if the Magistrates hold the trial in the thana compound, because, in these circumstances, the witnesses are under the control of the Police. Secondly, it sometimes happens that as soon as proceedings are drawn up against an accused, he is immediately sent to hajat and he rarely gets an opportunity of communicating with his friends and relations. In such cases a short date is given and the trial is held several miles away from the district headquarters where the man is locked up, and the result is that he cannot engage a lawyer to defend him nor can he communicate with his friends and relatives. In such cases the man practically goes undefended. These are mainly the two difficulties which accused persons encounter under present conditions ; and I beg to suggest that, without meaning in the least to interfere with the judicial independence of the Magistrates, some sort of general instructions may be given to them so that an accused person might get facilities for properly defending himself.

The second portion of the resolution refers to the difficulties of those persons who have come forward to offer sureties for their good behaviour after final orders are passed. It so happens that as soon as a surety comes up with an application offering as surety, the case is sent on to the Police for inquiry, and by the time the Police finish their inquiry, the man necessarily remains in hajat. It sometimes happens that days and days are wasted, and ultimately the Police report practically on no reasons whatever declining to accept those persons as sureties. The Magistrate accepts such recommendations without making any inquiry. In such cases I submit that it is due to the accused persons or to the sureties who come forward that the Magistrates must make an inquiry himself instead of relying solely on the Police. These are not matters of judicial discretion, and I venture to submit that in such matters directions may be given to the Magistrates. My Lord, I do not wish to take up the time of the Council any further regarding a resolution of this character. I never meant to suggest that instructions should be given to the Magistrates regarding the way in which they weigh the evidence or record or exercise their judicial discretion, but I only wish that instructions may be given to them in order that the procedure might be modified in such a manner that the accused persons may have opportunity of defending themselves and that after orders have been passed, that they may get proper opportunities for carrying out that order. With these words, I commend this resolution to the consideration of this House."

The Hon'ble Mr. Graham said :—

" My Lord, on behalf of Government I beg to oppose the resolution ; and I do so not from any want of sympathy with the accused who have to defend themselves in these cases, but because the issue of such instructions, as have

*Resolutions ;**Mr. Graham.*

been proposed by the Hon'ble Mover of the resolution, appears to be superfluous and unnecessary. The recommendation made by the Hon'ble Mover is that suitable instructions should be issued to Magistrates in Bengal in regard to the trial of cases under section 110 of the Code of Criminal Procedure, particularly with a view to giving facilities to accused persons (a) to defend themselves properly, and (b) to offer sureties for good behaviour after final orders have been passed.

With regard to (a), the suggestion appears to be that the accused in these cases are not at present given facilities to defend themselves properly. I venture to think that there is no substance in this suggestion. As a matter of fact such facilities are provided in the Code itself. Section 117, sub-section (2) of the Code of Criminal Procedure, lays down that the inquiry, where the order requires security for good behaviour, shall be in the manner prescribed for conducting trials and recording evidence in warrant cases, except that no charge need be framed.

The procedure to be observed in the trial of warrant cases is given in Chapter XXI of the Code of Criminal Procedure, and it provides *inter alia* for the cross-examination of prosecution witnesses and the recording of defence evidence. It is also provided that, if the accused files a written statement, the Magistrate shall file it with the record. Furthermore, there is provision for the issue of process for compelling the production of evidence at the instance of the accused. I may mention too that, as a matter of fact, the accused in these cases are invariably defended either by a pleader or a mukhtear.

With regard to what has been said by the Hon'ble Maulvi Fazl-ul-Haq with regard to the venue of the inquiry, and his statement to the effect that such inquiries are sometimes held in Thana compounds, I may point out that it is entirely within the discretion of the Magistrate to determine where the inquiry shall be held. At the same time, it is, I imagine, rare for such an inquiry to be held in a Thana compound. With all deference to what the Hon'ble Mover has said on this point, I do not remember any case in which such an inquiry has been held in a Thana compound. From a legal point of view all that is necessary is that the proceedings shall be taken within the local limits of the jurisdiction of the Magistrate empowered, and that the person proceeded against shall reside within those limits. If, in any particular case, objection is taken by the defence to the place of inquiry, it is always open to them to move the Magistrate, and there is no reason to suppose that such an objection would not receive judicial consideration. I submit, therefore, that in view of what I have said above, it is reasonably clear that adequate facilities are provided for accused persons in these cases to defend themselves, and I do not see what further facilities can be given. In view of these provisions of the law it would seem to be unnecessary to issue any such instructions to Magistrates, nor does it seem desirable that Government should adopt a course of action which might be regarded as interfering in any way with the discretion of Courts. Facilities for defence in criminal cases are matters which are appropriately dealt with in the Code of Criminal Procedure, and it would appear to be outside the province of the executive Government to deal with them. If in any particular case the facilities, which are provided by law, are not accorded, the accused has his remedy in an appeal to the District Magistrate under section 406 of the Code of Criminal Procedure.

With regard to the second recommendation made by the Hon'ble Mover that facilities should be given to accused to offer sureties for good behaviour after final orders have been passed, it lies with the accused persons themselves and their friends to offer sureties, and it does not appear to be clear how Magistrates can afford facilities in the matter. It may be

*Resolutions.**Maulvi A. K. Fazl-ul-Haq ; Mr. Cumming.*

mentioned that a Magistrate cannot act arbitrarily in regard to accepting, or rejecting sureties, as under section 122 of the Code of Criminal Procedure he can only refuse to accept a surety on the ground of unfitness, and if he does so, he is bound to record his reasons. Here again, if the Magistrate fails to comply with the provisions of the Code, the party aggrieved has his remedy in the appellate Court.

In as much therefore, as these matters are already provided for in the Code and, in any case, are not matters in relation to which the issue of instructions by the executive Government is desirable, I would ask the Council to negative the resolution.

The Hon'ble Maulvi A. K. Fazl-ul-Haq said :—

“My Lord, I admit that the cases to which I have referred are of a somewhat exceptional character, but such cases have occurred, and it appears to me that they do occur in spite of the fact that the Code of Criminal Procedure lays down elaborate provisions as to the manner in which the trial is to be held. There are certain matters within the discretion of a Magistrate where he acts more or less as an executive officer. However, a discussion of all these points will raise very controversial issues. I thought it proper to bring the matter to the notice of the Government, but, since the considered opinion of the Government is that this resolution cannot be accepted, I do not think it would be worth while to press this resolution any further. So, with your Excellency's leave, I beg to withdraw the resolution.”

The motion was then, by leave of the President, withdrawn.

LIST OF BUSINESS—ITEM No. 23.

The Hon'ble Maulvi A. K. Fazl-ul-Haq moved the following resolution :—

This Council recommends to the Governor in Council that immediate steps be taken to connect Barisal with Calcutta by rail.

He said :—

“This resolution is of a very simple character and it recommends that steps be taken to connect Barisal with Calcutta by rail. I brought forward this resolution for discussion in this Council about four years ago when the Hon'ble Mr. Beatson Bell (now Sir Nicholas Beatson Bell) on behalf of Government practically accepted the resolution and gave us to understand that the question of connecting Barisal with Calcutta by rail was under consideration by Government and probably would be given effect soon. Unfortunately, however, the war broke out and the question was shelved. Now with the return of peace and with better financial condition, I think the question might again be considered. With these few words, I beg to commend the resolution to the House.”

The Hon'ble Mr. Cumming said :—

“My Lord, it is quite correct, as the Hon'ble Member who has moved this resolution has stated, that my predecessor in office accepted the resolution in those terms in August 1914. The Hon'ble Member is under the impression that the case still stands in the same position, and that it has not been carried into effect for financial reasons. If the Council will bear with me for a few moments, I will explain why it is that the deliberate opinion of Government with regard to this project is that it is inexpedient. Very shortly, the

*Resolutions.**Mr. Cumming.*

proposals regarding this project in a chronological form are these. In 1911 a reconnaissance was sanctioned by the Railway Board to ascertain the best means of connecting Barisal with Khulna; two alternative routes were examined, and, three years afterwards, the Railway Board sanctioned a detailed survey not only of the proposed line from Khulna *viâ* Madaripur to Barisal but also of an additional section from Faridpur to Madaripur. This survey was completed in 1914. While these proceedings were in hand various enquiries were made in this Council, and the Hon'ble Member himself in 1913 asked a question on the subject he was informed that steps were being taken to connect Barisal and Calcutta by rail. He then asked another question in the following year 1914, and was informed that the details were well in hand. At a meeting of this Council in August 1914, to which I have referred, an Hon'ble Member submitted a resolution representing the urgency of connecting Barisal and Calcutta by rail. This, as I have said, was accepted by my predecessor; he went so far as to say that the Bengal Government accorded their cordial support to the proposal to construct a broad gauge line from Khulna to Barisal; and indeed, in the same year, the Bengal Government in submitting their annual list of railway projects included this very project amongst their recommendations. It was after that that a change in opinion has taken place. The project was examined with great care from every point of view. One expert said that the Madumati river which it was proposed to cross between Khulna and Madaripur was so unstable that it would cost crores to hold it under a bridge, and another expert held that the waterways and headways given were quite inadequate. The Bengal Government then examined the matter very carefully; and after full reconsideration advised the Railway Board under the Government of India two years afterwards, in October 1916, that the alterations and additions which were then proposed to meet the requirements would render it impossible on financial grounds to carry out the scheme, and might even result in its entire abandonment. Apart from that, the Bengal Government stated to the Railway Board, that even if all the alterations and additions were carried out and even if a satisfactory solution could be found for the crossing of the Madumati river, the Bengal Government were apprehensive that the railway would be a constant menace to the general health of the population. The Bengal Government were not able to inform the public at that time because the matter was still *sub judice*; in fact, in September 1917, when another Member asked a question in this Council he was informed that the matter was still under consideration in the Government of India in the Railway Board. A further enquiry was then made in August 1918 by a Council question, and the Council were informed that the Government of India had decided to abandon the project. In abandoning this project the Railway Board had obviously been influenced by the views of the Bengal Government, expressed in October 1916, said that while the main project might be abandoned, they, the Railway Board, were considering how they could arrange for the financing of a smaller line from Faridpur to Bhanga in the same district. The last communication received from the Railway Board is that of August 1918, when they said that they would defer the consideration of the financing of this branch line until after the end of the war. Since then we have heard nothing further on the subject. This, then, my Lord, is a statement of the discussion in connection with the project to connect Barisal and Calcutta by rail, which it is desirable to place on record. It will be seen that the Bengal Government on the basis of fuller information changed their minds on the ground of the menace to the health of the community which the construction of the project on the original alignment would entail. Indeed from the point of view of the people of Bengal themselves, the construction of railways which are likely to interfere with the natural ebb and flow of water over the land is to be deprecated. An increase of malaria is too high a price to

*Resolutions.**Mr. Cumming, Maulvi Fazl-ul-Haq; Maulvi Abul Kasem.*

pay even for improved railway communication, and the Hon'ble Member himself must be fully aware of the complaint in Bengal that such and such a railway has done permanent harm to the tract which it covers. In this instance the main objection was that the alignment in question was at right angles to the drainage of the country.

So far, Sir, I have to disappoint the Hon'ble Member. He may well ask what is proposed to be done now. My reply is that the Bengal Government did propose an alternative scheme of connecting Calcutta with Barisal by means of an extension of the existing railway from Faridpur, and at the present moment the Bengal Government are prepared to recommend to the Railway Board that the possibility of completing this alignment should be reconsidered. In view of this, Sir, and of the fact that while one approach to Barisal from the west has been definitely condemned on engineering, financial and sanitary grounds, still an approach from the north-west is possible, I hope the Hon'ble Member may see his way not to press the resolution. Government desire to do what my predecessor accepted in 1916, viz., to connect the headquarters of the province with the headquarters of an important district like Bakarganj if it can be properly done."

The Hon'ble Maulvi Fazl-ul-Haq said :—

"My Lord, it would not be a proper recognition of what has fallen from the Hon'ble Member were I now to press this resolution. I therefore beg leave to withdraw it."

The motion was then, by leave of the President, withdrawn.

LIST OF BUSINESS—ITEM No. 24.

The Hon'ble Maulvi Abul Kasem moved the following resolution :—

This Council recommends to the Governor in Council that steps be taken to improve communication between Calcutta and Dacca, either by accelerating the existing train and steamer services or by such other means as to the Government may appear fit and proper.

He said :—

"My Lord, the resolution which has just been withdrawn bears a family resemblance to the one which I now move. It has also an ancient history behind it, and it also wants to connect an Eastern Bengal district with Calcutta, but I hope, my Lord, that this resolution will receive a more favourable consideration at the hands of the Hon'ble Member in charge because it wants to connect the capital of Eastern Bengal with the capital of the province. In this resolution I have purposely avoided mentioning any particular scheme, because in my experience in this Council I have found that it is always safer to leave the question vague; because whenever any particular scheme is suggested Government experts come forward with objections which it is very difficult for a layman to meet. I understand, my Lord, that for a long time a proposal has been pending before the Government about connecting the town of Dacca with Aricha in the Manikganj subdivision on the south, and if a railway is constructed connecting Dacca with Aricha and a ferry service between Aricha and Goalundo and the train service between Goalundo and Calcutta is made a little faster, I think this journey to Dacca from Calcutta can be completed in eight hours or exactly

*Resolutions.**Mr. Cumming.*

half the time now taken to come from Calcutta to Dacca. What with the prospect of a well-equipped College in Dacca and the future prospect of a large Medical College here, it is as important that the people of Calcutta should be in close touch with Dacca as that the people of Dacca should be in close touch with the people of Calcutta, and I have been further told that this project of a railway between Dacca and Aricha has received sympathetic consideration at the hands of the Railway Board as well; but another objection has been raised that a railway on an embanked road will cause interference with the free drainage of the locality, and bring in malaria, as has been just mentioned by the Hon'ble member in charge. True it is that to a very large extent our railways are responsible for the spread of malaria in this country, and if we are to believe the historians, we learn that malaria was unknown in this country before railways were introduced. However, if the question of malaria did not interfere in the construction of the railway line from Howrah to Kalka, I do not think the small tract of land which has got many rivers and channels in it from Dacca to Calcutta will suffer much. The advantages of having more easy communication between two important centres of the Presidency will have greater weight with the public and the Government than the danger of malaria, and that can easily be avoided if we have a sufficient number of openings in the railway road for the passage of water. At the present moment there is an embanked road practically from Dacca to Aricha which does obstruct the drainage, except perhaps with the exception of 4 or 5 miles. The road is 45 miles long, about 40 miles of it is embanked road and only 5 miles is low road through which the water passes. I think if the project be taken in hand and openings made here and there, it will also protect us from malaria and at the same time afford greater facility for communication between Calcutta and Dacca which will be of mutual benefit to the people of this part of the Presidency as well as to the people of Calcutta. With these few words, I beg to commend this resolution to the consideration of the Council."

The Hon'ble Mr. Cumming said :—

"My Lord, the Hon'ble Member has made a proposal regarding the improvement of communications in this province which is of peculiar interest both to the residents of the eastern districts and of course to members of this Council who have been summoned to attend at Dacca. He has said that he has purposely framed it in an indefinite form because he is aware that definite proposals are more liable to attack. In his argument, however, he has made one practical suggestion, namely, the suggestion regarding a railway from Dacca to a point opposite Goalundo. This has been the subject of a good deal of local discussion within recent months here in Dacca and the local press is very desirous that such a project should materialise. Government, I may say at once, are prepared to accept the resolution in general terms without committing themselves, any more than the Hon'ble Member has done, to any specific project.

It goes without saying that Government are prepared to accept all reasonable improvements in communications which are both the means and the proof of material progress. There are two forms of improvement. There is improvement of the existing means of transportation, and in the second place there is the creation of new lines of transportation. As regards the existing means of transportation, I shall be prepared to send a copy of these proceedings to the carrying companies and agencies concerned both by road and water. As regards new lines of transportation there are again two possibilities, improvement entirely by land or improvement of steamer service by water. The Hon'ble Member is perhaps not aware regarding the second

*Resolutions.**Maulvi Abul Kasem ; Maulvi Fazl-ul-Haq.*

possibility, namely, improvement of service by water, that Government have in contemplation an improved water route which if constructed would shorten the river journey to Dacca by one-half ; but on account of various engineering and financial considerations Government are not in a position to say if, and when, effect will be given to the scheme. If, however, this scheme does materialise, it will be of very substantial benefit to Eastern Bengal. As regards the other alternative of improvement of communication by land, this proposal of a railway from Dacca to a point opposite Goalundo has been revived, and, as I have said, there is much local opinion in favour of this particular alignment. On this point, however, I can say but little at present. This much, however, may be said :—that the soundness of this project as a financial proposition is at present under examination, and in the second place that as regards a railway alignment, the railway policy of the Government must be ultimately under the control of the Railway Board. I am afraid, however, that those who advocate the construction of this line have never seriously considered what the cost would be if adequate waterways were given ; and, as I have mentioned regarding the previous resolution, that a possible source of disease may be created if adequate waterway be not given, and secondly, those who advocate this particular project have not considered what the effect of an embankment at right angles to the line of spill of the big rivers Dhaleswari and Padma would be. I may say at once that this railway project was definitely rejected many years ago by the Railway Board, although it had then been considered for a number of years. This, as the Hon'ble Member is aware, is primarily a matter for engineering experts to determine, in view of the more recent knowledge that we have of the hydraulics of the area, namely, what scheme would be the least innocuous in point of view of public health and what in point of view of capital outlay would be the least expensive. In these circumstances, as I have already stated, Government are prepared to accept the resolution with a perfectly open mind, in view of the further inquiries which are at present being made, as to what may ultimately be a practical solution."

The Hon'ble Maulvi Abul Kasem said :—

"My Lord, I have to thank the Hon'ble Member for the sympathetic reception which he has given this resolution."

The motion was then put and agreed to.

LIST OF BUSINESS—ITEM No. 25.

The Hon'ble Maulvi A. K. Fazl-ul-Haq was to have moved the following resolution :—

This Council recommends to the Governor in Council that suitable steps be taken for a proper and effective representation of the Eastern Bengal districts on the Legislative Council to be formed under the Reform Scheme, either by proper representation to the Government of India or by such other methods as to the Government may seem fit and proper.

He said :—

"My Lord, I owe an apology to this Council for having brought forward this resolution for discussion. I gave notice of this resolution rather in a

Resolutions.

Rai Radha Charan Pal Bahadur ; Maulvi Abul Kasem ; Sir Henry Wheeler.

hurry and in response to an urgent request of some of my Dacca friends who thought that Eastern Bengal districts had been somewhat neglected in the distribution of seats under the proposed Reform Scheme. At that time it was not possible for me to verify the figures because, if I waited one day I would have been out of time. I now find from an examination of the report that I cannot honestly say that the Eastern Bengal districts have been unfairly treated. As advised at present therefore, I do not think I can press this resolution. I therefore beg leave to withdraw it."

The motion was then, by leave of the President, withdrawn.

LIST OF BUSINESS—ITEM No. 26.

The following resolution stood in the name of the **Hon'ble Rai Radha Charan Pal Bahadur**:—

This Council recommends to the Governor in Council that an expert in town-planning be appointed as the Chairman of the Calcutta Improvement Trust when that office becomes vacant, in consequence of the grant of any leave to, or on the retirement of, the present incumbent.

The Hon'ble Member being absent, the resolution was not moved.

LIST OF BUSINESS—ITEM No. 27.

The Hon'ble Mauvi Abul Kasem moved the following resolution :—

This Council recommends to the Governor in Council that extensions of service be granted to officers in this Presidency in cases in which they happen to be deprived of full pension by reason of too strict an interpretation of the recent circular orders of the Secretary of State for India.

He said :—

"My Lord, we began this day's sitting by the introduction of a Bill to which reference has been made once before—I mean the Bill for the Prevention of Cruelty to Animals. I think I will be guilty of cruelty to members of this Council if I make a speech at this hour of the day in recommending this resolution to the Council. What I mean is quite clear from this resolution, and the Government and the members will understand what is meant. Under the old rules when an officer had to retire under the 25-year rule, discretion was given to the Government to grant him an extension on the ground that he has not earned his full pension. Under the recent orders, an amendment of the old rules, it lays down that no extension can be granted except on public grounds. The fact that an officer has not earned or is not entitled to full pension is not 'public grounds' and therefore an officer is made to retire simply because he has not reached the full period of service, although he is capable of good and hard-work. I think, my Lord, that in such cases either by moving the Secretary of State or a change in the regulation, a point may be stretched in their favour and officers who have done good service and are capable of rendering further good service in the interest of the people, who will have the advantage of their service, a small extension should be granted in order to enable them to earn the pension to which they are morally entitled."

The Hon'ble Sir Henry Wheeler said :—

"My Lord, to put it in the briefest form, the reason why we cannot accept this resolution is that, constituted as Government is at the moment in this

*Resolutions; Adjournment.**Maulvi Abul Kasem,*

country, whatever may be the case hereafter, the matter is one in which we are governed by the orders of the Secretary of State, and it would not be open to us, even if we would, to say to that authority 'We do not like your orders, and we do not mean to carry them out'. It is perfectly true that we have occasionally stretched a point in special cases where the interval between the ordinary date of retirement and the term qualifying for full pension is very small; but we cannot accept any proposition that we should do so in an ordinary way. The rule has only recently been framed in its present form, and it was so framed after full discussion. Before 1917, the old rules, although a man could be called on to retire at 55, used to favour his retention if he was fit in the interests of the superannuation charges. In 1917 the whole matter was thrashed out, and, contrary to the practice that obtained up to that time, it was definitely laid down that an officer, other than a ministerial officer, should retire at 55 except when exceptional public grounds for his retention existed and there was no doubt as to his physical fitness. These are the instructions by which we are governed and only recently, on a representation which came from a certain quarter that we were interpreting this rule too strictly, we made a reference to the Government of India in which we explained our practice as follows:—

'The local Government have felt bound to interpret the new rule strictly in the case of all services, and they have held that the retention of the services of an officer after he has attained the age of 55 would not be justified if an equally or almost equally capable officer can be found to take his place without serious detriment to the public interest.'

We were told in answer to that, that our interpretation of the rule was correct, and I am afraid, so far as we are concerned, that closes the discussion."

The Hon'ble Maulvi Abul Kasem said:—

"My Lord, after what has fallen from the Hon'ble Member, I beg leave to withdraw this resolution."

The motion was then, by leave of the President, withdrawn.

Adjournment.

The Council was then adjourned *sine die*.

A. M. HUTCHISON,

*Secy. to the Govt. of Bengal and
Secy. to the Bengal Legislative Council (Offg.).*

CALCUTTA;

The 28th August, 1919.



The Calcutta Gazette

WEDNESDAY, SEPTEMBER 24, 1919.

PART IVA.

Proceedings of the Bengal Legislative Council.

GOVERNMENT OF BENGAL.

LEGISLATIVE DEPARTMENT.

Abstract of the Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act, 1915.

THE Council met in the Council Chamber at Government House, Calcutta, on Wednesday, the 3rd September, 1919, at 11 A.M.

Present :

HIS EXCELLENCY THE RIGHT HON'BLE LAWRENCE JOHN LUMLEY DUNDAS,
EARL OF RONALDSHAY, G.C.I.E., *Governor of the Presidency of
Fort William in Bengal, presiding.*

The Hon'ble SIR HENRY WHEELER, K.C.I.E., C.S.I.

The Hon'ble MR. J. G. CUMMING, C.S.I., C.I.E.

The Hon'ble SIR BIJAY CHAND MAHTAB, K.C.S.I., K.C.I.E., I.O.M., MAHA-
RAJADHIRAJA BAHADUR OF BURDWAN.

The Hon'ble MR. J. H. KERR, C.S.I., C.I.E.

The Hon'ble MR. F. C. FRENCH, C.S.I.

The Hon'ble MR. J. LANG.

The Hon'ble MR. H. P. DUVAL.

The Hon'ble MR. C. F. PAYNE.

The Hon'ble Mr. M. C. McALPIN.

The Hon'ble Mr. S. W. GOODE.

The Hon'ble Mr. F. A. A. COWLEY.

The Hon'ble COLONEL J. K. CLOSE, M.D., I.M.S.

The Hon'ble Mr. T. O. D. DUNN.

The Hon'ble Mr. J. DONALD, C.I.E.

The Hon'ble KHAN BAHADUR MAULVI AMINUL ISLAM.

The Hon'ble SIR RAJENDRA NATH MOOKERJEE, K.C.I.E.

The Hon'ble Mr. R. V. MANSELL, O.B.E.

The Hon'ble RAJA HRISHIKESH LAHA, C.I.E.

The Hon'ble MR. PROVASH CHUNDER MITTER, C.I.E.

The Hon'ble BABU SIV NARAYAN MUKHARJI.

The Hon'ble KUMAR SHIB SHEKHARESWAR RAY.

The Hon'ble Mr. ARUN CHANDRA SINGHA.

The Hon'ble SIR DEBA PRASAD SARBADHIKARI, KT., C.I.E.

The Hon'ble RAI DEBENDER CHUNDER GHOSE BAHADUR.

The Hon'ble RAI RADHA CHARAN PAL BAHADUR.

The Hon'ble SIR FRANK CARTER, KT., C.I.E., C.B.E.

The Hon'ble Mr. A. R. MURRAY, C.B.E.

The Hon'ble Mr. W. H. PHELPS.

The Hon'ble Mr. H. R. A. IRWIN, C.I.E.

The Hon'ble DR. ABDULLA-AL-MAMUN SUHRAWARDY.

The Hon'ble MAULVI ABUL KASEM.

The Hon'ble MAULVI A. K. FAZL-UL-HAQ.

The Hon'ble KHAN SAHIB AMAN ALI.

The Hon'ble BABU BHABENDRA CHANDRA RAY.

The Hon'ble Mr. ALTAF ALI.

The Hon'ble RAI SRI NATH RAY BAHADUR.

The Hon'ble RAI MAHENDRA CHANDRA MITRA BAHADUR.

The Hon'ble BABU SURENDRA NATH RAY.

The Hon'ble BABU MAHENDRA NATH RAY, C.I.E.

The Hon'ble BABU KISHORI MOHAN CHAUDHURI.

Oath of Allegiance; Questions and Answers.

LIST OF BUSINESS—ITEM No. 1.

OATH OF ALLEGIANCE.

1. The Hon'ble Mr. Duval made an oath of his allegiance to the Crown.

LIST OF BUSINESS—ITEM No. 2.

STARRED QUESTIONS.

The following questions which had been starred were put and answered :—

By the Hon'ble Rai Radha Charan Pal Bahadur:—

***I.**

(a) Will the Government be pleased to state what provision there is in the Victoria School, Kurseong, for medical attendance for the pupils and staff, including the menials? Alleged lack of medical attendance in the Victoria School, Kurseong.

(b) Is it a fact that recently a death occurred among the pupils, and that the only medical attendance available was that of the Resident Surgeon of the station?

(c) Is it a fact that the Resident Surgeon has not only to attend to calls from the school, but has also to attend to the station people and the tea plantations round about, and that this has to be done without any telephonic communication which is absent in the station?

(d) Will the Government be pleased to state what provision they have in contemplation for providing for adequate medical attendance for the school in question?

Answer by the Hon'ble Mr. Goode:—

“(a) A highly qualified and experienced nurse and a qualified compounder reside on the school premises. Medical attendance is given by the Civil Medical Officer and in his absence, the municipal Assistant Surgeon.

(b) One of the boys died in June last; he was attended by the Civil Medical Officer and the Assistant Surgeon.

(c) The reply is in the affirmative. Telephonic communication will shortly be installed between the residence of the Civil Medical Officer, the plantations and the school.

(d) Government are disposed to think that the present arrangements for medical attendance are adequate, but it is understood that the Director of Public Instruction is considering the desirability of improving these arrangements.”

By the Hon'ble Rai Radha Charan Pal Bahadur:—

***II.**

(a) Will the Government be pleased to state what is the pay of Assessors of income-tax employed in the Districts of the Bengal Presidency, outside Calcutta? Pay of Assessors of income-tax.

Questions and Answers.

(b) What is the pay and grade of Assessors employed in Calcutta?

(c) Is not the work of the Assessor in the mufassal similar to that of his colleague in Calcutta?

(d) Are the Government contemplating the revision of the scale of pay of mufassal Assessors?

Answer by the Hon'ble Mr. Payne:—

“(a) Rs. 75—2—125.

(b) The pay of income-tax assessors in Calcutta is graded as follows:—

Two on Rs. 300—10—350.

Three on Rs. 250—10—300.

Five on Rs. 200—10—250.

Four on Rs. 200 each.

(c) The work is of a similar nature, but income-tax assessors in Calcutta have much more difficult and responsible duties to perform, as the incomes to be assessed are much higher and the variety of businesses is much greater than in the *mufassal*.

(d) No.”

By the Hon'ble Rai Radha Charan Pal Bahadur:—***III.**

Congestion of traffic in the northern sections of the town.

(a) Are the Government aware that repeated communications have been made by the District Engineer, District No. I, of the Corporation of Calcutta, as to the difficulty of sweeping, watering, and otherwise properly conserving the roads in the Kumertooly and Jorabagan sections of the town on account of the numerous carts and animals which are more or less permanently located at all hours of the day on the public streets in the Burra Bazar, Jorabagan and Kumertooly sections of the town?

(b) Are the Government also aware that this congestion causes inconvenience both to wheeled and foot traffic?

(c) Are the Government also aware that the said District Engineer has been complaining for the last 2 years to the Deputy Commissioner of Police, Northern Division, on the subject?

(d) Are the Government also aware that although complaints have been made for the last 2 years, the state of affairs continues as before?

(e) What steps have been taken or are being taken in the matter?

Answer by the Hon'ble Mr. Goode:—

“(a) and (b) The reply is in the affirmative.

(c) Government understand that several complaints have been made to the police in this connection.

(d) Government are aware that no adequate remedy has been provided for the state of affairs referred to by the Hon'ble Member. The Chairman of the Calcutta Corporation reports that there has been some improvement during the past two years and that carts and bullocks are not now left on the road for the whole 24 hours to the same extent as before.

(e) (i) During the past 18 months, there have been 9·421 prosecutions for obstruction and 5·457 cattle have been impounded in the Kumartoli and Jorabagan sections of the town.

Questions and Answers.

(ii) Government have referred to the Port Trust the question of the utilization of the river-side lands belonging to that body.

The question of providing *khatahs* for the cartmen, who cause obstruction in the streets referred to by the Hon'ble Member, will no doubt be dealt with in any proposals made in connection with the river-side area."

By the Hon'ble Rai Radha Charan Pal Bahadur:—

***IV.**

(a) Is it a fact that the extra copyists in the Calcutta Registry Office submitted a petition on the 8th July, 1919, to the Secretary to the Government of Bengal, Revenue Department, embodying their grievances and praying for improvement of their pay and prospects?

Improvement in the pay and prospects of the extra copyists in the Calcutta Registry Office.

(b) What action has been taken by Government on the memorial?

(c) Is it a fact that old section rates have been abolished and that new contract rates have been introduced with the result that extra copyists are unable to earn more than the minimum pay of the ministerial officers?

(d) Was this the case before the introduction of the new system? If not, what was the necessity for the change?

(e) Is it a fact that these extra copyists do not get any grain compensation or war allowances usually given for the increased price of food-stuffs and other necessities of life, although some of them have been working there continuously for 10 or 15 years?

(f) Is it a fact that the number of extra copyists employed is four times that of the permanent staff?

(g) Is it the intention to keep them on permanently, and, if so, is it intended for the present to make some of the more senior men permanent?

Answer by the Hon'ble Mr. McAlpin:—

"(a) Yes.

(b) As it was submitted direct it has been referred to the Inspector-General of Registration for disposal.

(c) In 1899 the section rates, which used to obtain previously and under which a copyist used to get Re. 1 for 1,600 English or 2,000 vernacular words copied, were abrogated. In their place a monthly rate of Rs. 20 for each temporary copyist, subject to an outturn of 3,000 words a day, was introduced in the Calcutta office. The minimum pay then admissible to a permanent copyist in that office was Rs. 20 a month. This was raised to Rs. 25 a month in 1907. The monthly rate of pay of a temporary copyist was at the same time raised to that level.

(d) No. —The change was made because the employment of men on section rates was found in practice to be unnecessarily costly.

(e) Temporary copyists are not whole-time servants of Government and are not therefore entitled to grain compensation allowance; but a very few of them who, though technically in temporary employ are entertained continuously, are entitled to the war allowance.

(f) Yes, but the number of extra copyists employed varies from time to time with the pressure of registration work.

(g) No such proposal is under consideration."

*Questions and Answers.***By the Hon'ble Rai Radha Charan Pal Bahadur:—*****V.**

The
Navaran-Satkhira
and
Bongang-
Satkhira lines.

(a) Will the Government be pleased to state which of the lines, Navaran-Satkhira and Bongang-Satkhira, as surveyed by the management of the Eastern Bengal Railway and which were under the consideration of the Railway Board, has been sanctioned?

(b) When is the construction of the sanctioned line to be commenced?

Answer by the Hon'ble Mr. Cowley:—

“(a) and (b) Both these questions might more appropriately be asked in the Imperial Council. The Bengal Government have no information under the head of either sanction or construction.”

By the Hon'ble Rai Radha Charan Pal Bahadur:—***VI.**

The Garden
Reach
Municipality.

(a) Will the Government be pleased to state what is the constitution of the present Garden Reach Municipality? How many Commissioners does it consist of, and how many of them are nominated by Government and how many are elected?

(b) Is it a fact that the original South Suburban Municipality was split up in 1897 into three municipalities, namely, (1) Garden Reach, (2) Tollygunge and (3) South Suburban (Behala)?

(c) Is it a fact that the residents of the original South Suburban Municipality enjoyed the elective system and that, since 1897, the residents of what is now the Garden Reach Municipality have been deprived of the privilege of electing their representatives to the newly-formed municipality while the residents of Tollygunge and Behala are permitted to enjoy the privilege in their respective municipalities?

(d) If so, what is the reason of this differential treatment accorded to the residents of the Garden Reach Municipality?

(e) Is it a fact that the residents of the Garden Reach Municipality submitted three successive petitions to the Commissioner of the Presidency Division on the 7th April, the 30th May and the 18th July last, praying for the introduction of the elective system and asking him to receive a deputation?

(f) Is it a fact that the only reply to these representations was given in a letter, dated the 12th August last, informing the petitioners that the Commissioner would receive the deputation after his return from tour on the 2nd September at 3 P.M.?

(g) Is it a fact that while these successive representations were pending with the Commissioner without eliciting any reply the Garden Reach Municipality was reconstituted by a notification in the *Calcutta Gazette* on the 30th July last?

(h) Are the Government considering the desirability of introducing the elective system into the Garden Reach Municipality?

Answer by the Hon'ble Mr. Goode:—

“(a) The present Municipal Board of Garden Reach consists of 12 Commissioners appointed by Government.

(b) The original South Suburban Municipality was first sub-divided in 1897 into 2 municipalities, viz., South Suburban and Garden Reach. The former was further sub-divided in 1900 into two, viz., South Suburban and Tollygunge.

To be substituted for pages 1205 and
1206 of Part IVA of the *Calcutta
Gazette*, dated the 24th September
1919.

Questions and Answers.

(c) The reply is in the affirmative.

(d) Garden Reach differs from other suburban municipalities in that it contains mills, dock-yards and Emigration Depots which give employment to about 30,000 people out of a population of 46,000. The Mills, Dock-yards, etc., pay taxes amounting to 75 per cent. of the total income. It is not a residential quarter for middle-class families. Both on account of the predominant mill interests and because it would be difficult to secure suitable elective representatives, it has not been considered desirable to introduce elective system here.

(e) A petition purporting to emanate from certain ratepayers dated 7th April, 1919, was received by the Commissioner and sent to the District Magistrate for report. This was followed by another petition on the 30th May asking the Commissioner to receive a deputation, but it was decided to await the return of the Magistrate's report before granting this request. In August Mr. Lang, who had succeeded to the office of Commissioner in July, received a petition by name, dated the 18th July, asking him to receive a deputation and to this he consented, although the new Committee had already been appointed on the 27th July.

(f) Yes.

(g) The Garden Reach Municipality was reconstituted by notification No. 2049M., dated the 26th July.

(h) The reply is in the negative."

By the Hon'ble Babu Kishori Mohan Chaudhuri:—

***VII.**

(a) Is it a fact that the southern part of the town of Pabna, including the Court compound, the quarters of high officials and the Sitlai Lodge, is in imminent danger of being washed away by the Ganges?

Danger to the southern part of Pabna by erosion of the Ganges.

(b) Is it also a fact that the matter was brought to the notice of His Excellency the Governor last year on the occasion of his visit to the town and that His Excellency was pleased to assure the people that necessary action would be taken to prevent further erosion?

(c) Will the Government be pleased to state what protective steps have been taken, or are being taken, since the assurance given by His Excellency to prevent the rapid erosion of the river below the town?

Answer by the Hon'ble Mr. Cowley:—

"(a) It is a fact that the outlying portions of the town known as Bajitpur, Sadhupara and Ramchandrapur are in imminent danger of being washed away by the Padma. The danger in regard to the Court compound and the Sitlai Lodge does not appear imminent.

(b) In his reply to the addresses presented at Pabna on the 29th August, 1918, His Excellency the Governor said: 'The Chief Engineer in the Irrigation Department has already inspected the scene of the erosion during the present year. He informs me that the river has gone back to the old channel which it occupied sixty years ago, and he does not expect that further serious erosion will take place. At the same time he proposes to keep the position under careful observation with a view to taking such measures as may be found possible should the necessity arise.'

(c) The position has been kept under careful observation and the position of the river delineated on the plans. It is not possible to state with certainty to what further extent erosion will continue; but it is possible that the houses

Questions and Answers.

occupied by the Collector and the Superintendent of Police may have to be vacated. The position was inspected by the Chief Engineer in the Irrigation Department on the 19th August; it is under the careful observation of the local officers of the Public Works Department; and a further inspection will be made by the Chief Engineer when the river level falls sufficiently. Any project for the permanent protection of the town and Government buildings is likely to cost a very large sum of money; a full report will, however, be submitted to Government with the recommendations of the Chief Engineers of the Public Works Department as soon as the river level falls sufficiently to enable a more thorough inspection to be made."

By the Hon'ble Babu Kishori Mohan Chaudhuri:—

***VIII.**

Revision of pay
of the Khas
Mahal staff of
Maniaguri.

(a) Is it a fact that there were proposals for revising the pay of all ministerial establishments in executive and judicial offices under the Eastern Bengal and Assam Government (including Khas Mahal establishments) and that such proposals received the sanction of the Secretary of State as far back as 1910?

(b) If the answer to clause (a) be in the affirmative, will the Government be pleased to state whether the pay of the ministerial staff of the Khas Mahal was so revised in pursuance of the said proposals? If not, why not?

(c) Is it a fact that the Khas Mahal staff of Maniaguri, in the district of Jalpaiguri, made repeated representation about the revision of their pay to the Deputy Commissioner of Jalpaiguri in 1914, and to the Commissioner of the Rajshahi Division?

(d) Is it a fact that the Deputy Commissioner of Jalpaiguri replied to the aforesaid representation that the "matter would be reopened after the receipt of a final report from the Settlement Officer?"

(e) Is it a fact that the settlement operations have been finished and the final record-of-rights published?

Answer by the Hon'ble Mr. McAlpin:—

"(a) Yes.

(b) The matter is still under inquiry.

(c) Two representations were made in 1913, and one in 1918.

(d) No, the matter is at present under the consideration of Government.

(e) Yes."

By the Hon'ble Babu Kishori Mohan Chaudhuri:—

***IX.**

Improvement of
pay of the Lower
Subordinate
Educational
Service, etc.

(a) Are the Government aware of the great difficulties under which the teachers and clerks of the Lower Subordinate Educational Service and outside the graded service are suffering owing to the high prices?

(b) Did the Government receive any representation from them in March or April last for the improvement of their pay?

(c) If so, will the Government be pleased to state what action they have taken or are taking in the matter?

Questions and Answers.

Answer by the Hon'ble Mr. Goode:—

" (a) The reply is in the affirmative.

(b) and (c) The Hon'ble member is referred to the reply to unstarred question No. 12 asked by the Hon'ble Babu Brojendra Kishor Ray Chaudhuri at the meeting of the Council held on the 12th August, 1919."

By the Hon'ble Babu Kishori Mohan Chaudhuri:—

***X.**

With reference to the resolution moved in this Council on the 20th November, 1917, when the Government held out a promise to revise the pay and prospects of the Subordinate Educational Service and the Lower Subordinate Educational Service, will the Government be pleased to state what action they have taken or are taking in the matter?

Revision of the pay and prospects of the Subordinate and Lower Subordinate Educational Service.

Answer by the Hon'ble Mr. Goode:—

" The Hon'ble Member is referred to the reply given to unstarred question No. 4 asked by the Hon'ble Babu Brojendra Kishor Ray Chaudhuri."

By the Hon'ble Babu Kishori Mohan Chaudhuri:—

***XI.**

(a) Is it a fact that in the contemplated partition of the present district of Mymensingh the headquarters of the proposed Kishorganj district will be at Kishorganj?

Site of headquarters of the proposed Kishorganj district.

(b) Have the Government consulted the wishes of the people of the proposed Kishorganj district in the matter?

(c) Are the Government aware of a feeling amongst the people that the location of the headquarters at Kishorganj will be unsatisfactory to the people concerned and that they are in favour of having the headquarters at Husainpur?

(d) Will the Government be pleased to lay on the table a statement showing the comparative advantages and disadvantages of Kishorganj and Husainpur in this respect?

Answer by the Hon'ble Mr. Kerr:—

" (a) Yes.

(b) Yes. The Hon'ble Member is referred to the resolution on the subject of the partition of the Mymensingh district which was published in the Calcutta Gazette of the 2nd June, 1915.

(c) and (d) In response to that resolution representations were received from the Husainpur People's Association and others proposing that Husainpur should be selected as the district headquarters instead of Kishoreganj. Similar representations were received in favour of other small towns. The main objection brought against Kishorganj was that the water supply is insufficient, but special inquiries made on this point showed that an ample supply could be made available. Apart from this, Kishorganj has decided advantages over Husainpur in that it is centrally situated on the Bhairab-Mymensingh Railway, whereas Husainpur is on the western boundary of the district about nine miles distant from the railway. Moreover, Kishorganj, being already a subdivisional headquarters, could be converted into a district headquarters at much less expense than would be incurred if the headquarters

Questions and Answers.

were located at a place where no Government buildings exist. For these reasons, Government decided to place the district headquarters at Kishorganj in preference to any of the other places suggested."

By the Hon'ble Babu Kishori Mohan Chaudhuri:—

***XII.**

Sale of rice
in the
districts.

Are the Government considering the desirability of issuing instructions to the district officers with a view to arrange for the supply of rice in their districts to be sold at a reasonable price before allowing any portion of the supply to be sent outside the district by the rice dealers?

Answer by the Hon'ble Mr. McAlpin:—

"The answer to the particular question is in the negative. Arrangements are, however, in force in different districts by which licensed importers can import Burma rice on condition that they do not sell above a price fixed by the District Officer. In this connection, the Hon'ble Member is referred to the answer given to question No. 24 (d) (unstarred) at the Council meeting held on the 12th August, 1919."

By the Hon'ble Babu Kishori Mohan Chaudhuri:—

***XIII.**

Rise in the
prices of
cloths.

(a) Are the Government contemplating an inquiry with a view to ascertain the causes for the recent rise in the prices of cloths?

(b) Will the Government be pleased to state what, if any, measures are being taken for the supply of cloths at comparatively cheaper rates during the Puja and winter sessions, i.e., in the months of September to January next?

(c) Have the Government considered the desirability of arranging direct with the mills and the mill agencies for the sale of cloth?

Answer by the Hon'ble Mr. Payne:—

"(a) No. The causes of the high price of cloth are known and there has been very little rise recently.

(b) Arrangements have been made by local bodies both in Calcutta and in the *mufassal* for the supply of a limited quantity of cloth at approximately present prices in view of the possibility of a rise of price at the time of the Pujas and afterwards.

(c) The arrangements referred to in the preceding reply have been made direct with the Bombay mills."

By the Hon'ble Rai Debender Chunder Ghose Bahadur:—

***XIV.**

Site for a new
Legislative
Council Hall.

(a) With reference to the question of a site for a new Legislative Council Hall for Bengal, have the Government considered whether the Victoria Memorial Building, now approaching completion in construction, would be suitable as a meeting place for the prospective Legislative Council?

(b) Have the Government considered that the distance of the Victoria Memorial Building from Government House and the business part of the town with motor-car and telephone conveniences would be conducive to its adaptability as the future Bengal Parliament House?

Questions and Answers.

(c) Are the Government considering the desirability of referring to the committee which they have recently appointed for advising them upon a suitable site for a new Legislative Council Hall, the question of the utilization for such purpose of the Victoria Memorial Hall?

Answer by the Hon'ble Mr. Cowley:—

"All suggestions of this character will doubtless be examined by the committee recently appointed to consider the question of a suitable site for the new Council Chamber. Pending the receipt of the report of that committee, Government do not propose to express any opinion in the matter."

UNSTARRED QUESTIONS.

(Answers to which were laid on the table.)

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

1.

(a) Will the Government be pleased to lay on the table a statement showing the amount, the rate of interest, and the date of the loan given to Maharaja Sir Prodyot Kumar Tagore, Kt., from public revenue and the time-limit, if any, for re-payment thereof?

Estate of the
Maharaja
Sir Prodyot
Kumar
Tagore, Kt.

(b) Is it a fact that it was laid down as a condition that the Government would recoup the loan in 8 years and then release the estate of the Maharaja from Government management?

(c) Will the Government be pleased to lay on the table a statement showing, year by year, the amount that has, up to date, been realized and the balance due?

(d) Is it a fact that the late Rai Jamini Mohan Dass Bahadur was placed on special duty in the Tagore Estate for about 6 months and that he prepared a scheme of management and also submitted to Government a report on the management of the said estate?

(e) Will the Government be pleased to lay on the table a copy of the said scheme and report?

(f) Was the said scheme approved by Government? Was it followed by Mr. Mackay, the present Manager of the said estate?

(g) Is it a fact that *Naibs* and Assistant Managers are being annually paid bonuses varying in amounts from Rs. 500 to Rs. 1,500.

(h) Is it a fact that the total amount of such bonuses comes to about Rs. 15,000 annually? Are such bonuses allowed by the rules of management of such estates?

(i) Was any sanction ever obtained from Government before increase in salary and payment of bonuses, fixed travelling allowances, charges for horses, elephants and green-boats were made by Mr. Mackay?

(j) Are bonuses and green-boat allowances, in addition to fixed travelling allowances, paid to circle officers of Khas Mahal, Encumbered and Wards' Estates?

(k) Is it a fact that the Maharaja Sir Prodyot Kumar Tagore complained to Government about the excessive establishment charges of the estate with special reference to the payment of bonuses? If so, what action was taken by the Government in the matter?

*Questions and Answers.***Answer by the Hon'ble Mr. McAlpin:—**

"(a) Loan of 50 lakhs at 4 per cent., 20th November, 1908. loan of 10 lakhs at 6 per cent., 7th July, 1915. Total 60 lakhs.

No time limit for repayment.

Estimated probable date of liquidation, 1934-35.

(b) No.

(c)

				PAYMENTS.		
				Amount realized.		
				RS.	A.	P.
1909-10	...	...	...	6,09,204	0	0
1910-11	...	...	...	4,02,013	2	0
1911-12	...	...	...	3,45,424	8	5
1912-13	...	...	...	1,82,375	2	6
1913-14	...	...	...	2,10,000	0	0
1914-15	...	...	...	3,62,193	10	0
1915-16	...	...	...	1,75,000	0	0
1916-17	...	...	...	1,75,000	0	0
1917-18	...	...	...	3,75,000	0	0
1918-19	...	...	...	1,70,000	0	0
Total payments				...	30,09,210	6 11
Balance outstanding				...	29,90,789	9 1

N.B.—By the terms of the Deed of Mortgage certain immovable and moveable properties were to be sold and the proceeds as realized paid to liquidation of the loan. This accounts for the variations in annual payments.

(d) to (i) and (k) This portion of the question deals with matters affecting the private affairs of a private individual which are no concern of the public; and Government are not prepared to make public information with regard to them.

(j) This is the subject of inquiry."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

2.

Allegations
against
Mr. Baker,
Deputy
Conservator
of Forests.

(a) With reference to the answer given to my unstarred question No. 49, on the 12th August, 1919, will the Government be pleased to lay on the table the report of the Conservator of Forests regarding the allegations made by certain forest contractors of Darjeeling against Mr. Baker, Deputy Conservator of Forests?

(b) When were the inquiries referred to in the said answer ordered and what opportunities were given to the above contractors to substantiate the allegations they made in their memorial?

Answer by the Hon'ble Mr. McAlpin:—

"Government are not prepared to supply the information as it is not in the public interests to refer to a matter which is or will be the subject matter of a criminal case."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

3.

Upper
Subordinate
Service of
the Public
Works
Department.

(a) Is it a fact that—

(i) the Upper Subordinate Service of the Public Works Department was formed more than 50 years ago;

(ii) that the scale of pay and allowances then fixed has remained the same ever since;

Questions and Answers.

- (iii) the qualifications required from the members of the service who have joined during the past 25 years or more, have been steadily raised, without any compensating rise in salaries or allowances;
- (iv) in 1913 the Secretary of State for India sanctioned certain schemes for the betterment of the service which had been submitted by the Local Government?
- (b) What are the features of these schemes as sanctioned by the Secretary of State, and what steps have since been taken to give effect to them in Bengal?
- (c) Have the Government received any memorial from the members of the service in Bengal?
- (d) Is it a fact that several other provinces have already granted increased pay and allowances, with time scale, to the members of the Upper Subordinate Service in those provinces?

Answer by the Hon'ble Mr. Cowley:—

- “(a) (i) Yes.
- (ii) Yes, except that sub-engineers, 1st grade, are now granted under certain conditions two periodic increments of Rs. 50.
- (iii) No. The qualifications required have not been raised, but the standard of education of those seeking training in engineering and subsequently competing for appointments in the Upper Subordinate Service is higher now than it was 25 years ago.
- (iv) No. The Hon'ble Member possibly refers to the fact that in that year the Secretary of State sanctioned the grant of certain enhanced financial powers to Local Governments; these enhanced powers enabled Local Governments themselves to deal with the memorials of members of the Upper Subordinate Service which had been submitted to the Government of India.
- (b) As stated above no scheme has been sanctioned by the Secretary of State. The present position is that in 1915 the Government of India suggested certain broad principles to be followed in revising the pay of the Upper Subordinate Service and the substitution of a time-scale of pay. A time-scale was drawn up; but effect could not be given to it at the time owing to financial conditions brought about by the war. It has subsequently been re-examined and revised and it is hoped that it may be brought into force at an early date.
- (c) Yes.
- (d) It is understood that the Governments of Madras, Punjab, United Provinces of Agra and Oudh and Bihar and Orissa have already introduced a time-scale of salaries.”

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

4.

- (a) With reference to the answers given to unstarred questions Nos. 9, 10 and 12 at the Council meeting on the 12th August, 1919, regarding the reorganization of the Subordinate and Lower Subordinate Educational Services, are the Government in a position to make a statement as to the approximate time when the scheme for the improvement of those services will be elaborated and given effect to?
- (b) Has any tentative scheme been drawn up in this connection pending the consideration of the question of reorganization of the higher services of the Education Department? If so, what are the main features thereof?

Reorganization
of the
Subordinate
and Lower
Subordinate
Educational
Services.

Questions and Answers.

Answer by the Hon'ble Mr. Goode:—

"(a) and (b) The reply is in the negative. The general principles on which reorganization should proceed are, however, being worked out."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

5.

War allowances to certain officers of Government.

With regard to the recent orders of Government regarding war allowances to officers of Government drawing salaries of over Rs. 12, but not more than Rs. 50, will the Government be pleased to state what principle has been followed in the distribution of these allowances?

Answer by the Hon'ble Mr. Payne:—

"The allowances were fixed according to the grades of the officers concerned, and in each case the allowance is equivalent to 5 per cent. of the maximum pay of the grade."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

6.

Supply of rice in the districts of Dacca, Mymensingh and Tippera.

What action has been taken in Dacca, Mymensingh and Tippera in pursuance of the recent ordinance regarding the supply of rice, and how far has it been effective in controlling the price and supply of rice in each of these districts?

Answer by the Hon'ble Mr. McAlpin:—

"No notification under Ordinance IX of 1914 was published in the district of Tippera; and no specific action has been taken in the districts of Dacca or Mymensingh under the powers conferred by the notifications relating to those districts."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

7.

Number of memorials and representations made to Government owing to the prevailing high prices.

How many memorials and representations have the Government received up to date from public associations and meetings regarding the prevailing high prices, and what action has been taken thereon?

Answer by the Hon'ble Mr. McAlpin:—

"Twenty-nine. It is difficult to say what action has been specifically taken on each of these memorials or representations, as the matter has been constantly engaging the attention of Government. The latest results are those given in the recent *communiqués* of the 28th and 31st August, 1919, of which copies are laid on the table."*

By the Hon'ble Rai Mahendra Chandra Mitra Bahadur:—

8.

Alleged grievances of the district kanungos of Bengal.

(a) Are the Government aware of the grievances of the district kanungos of Bengal?

(b) Will the Government be pleased to state the reason why there is so great an inequality of pay between settlement kanungos and the district kanungos of Bengal?

* Not printed in these Proceedings.

Questions and Answers.

(c) Will the Government be pleased to lay on the table a comparative statement showing the number and other particulars of yearly promotions to the subordinate civil service since 1914 from—

(i) the settlement kanungos, and

(ii) the district kanungos,

and state the reason in each case as regards the general qualifications and special merit, if any, and period of service of those who were promoted?

(d) Is it a fact that the claims of the district kanungos were totally ignored in 1917, and again in 1919, when 14 vacancies were filled up by promotion from the settlement kanungos alone?

(e) Is it a fact that a promise was given to the district kanungos that they would be promoted to the subordinate civil service for their good work and that wherever possible the services of deserving and efficient men would also be utilized as managers and sub-managers of Government, and wards', attached and trust estates in the Presidency of Bengal?

(f) Was this promise duly considered at the time of the recent appointment of the manager of the Bainchi B. L. Mukherjee's Trust Estate in the district of Hooghly?

(g) What is the total number of district kanungos who are at present serving as managers or sub-managers in the wards', attached and trust estates in the Presidency of Bengal?

(h) Will the Government be pleased to state the history of the services and academical qualifications of the manager of the Gobardanga Wards' Estate in the district of the 24-Parganas prior to his appointment to the present post?

(i) Are the Government considering the advisability of appointing deserving district kanungos for their meritorious services as circle officers, as an experimental measure, and in other vacant posts kept reserved by Government, or likely to occur at the time of the reconstitution of the union boards under the Bengal Village Self-Government Act, 1919 (Bengal Act V of 1919)?

Answer by the Hon'ble Mr. McAlpin:—

“(a) Certain communications regarding their grievances have been brought to the notice of Government.

(b) The reasons are as follows:—

(i) District kanungos hold permanent and pensionable posts; the posts of settlement kanungos are temporary.

(ii) District kanungos draw travelling and halting allowances; settlement kanungos are not entitled to travelling allowance except by rail or steamer journeys and for journeys outside their jurisdiction.

(iii) The duties of settlement kanungos are different from, and more arduous than, those of district kanungos.

(iv) The rules provide for the recruitment of more highly educated persons as settlement kanungos than as district kanungos.

(c) A comparative statement is laid on the table in which is included the period of service and educational qualifications so far as they are at present

Questions and Answers.

known to Government. Government are not prepared to go into reasons in detail and give information regarding the respective merits of individual officers.

(d) In 1917 no district kanungo was nominated for appointment by the Board of Revenue. In 1919, 14 special vacancies due to the increase in the cadre owing to the expansion of the circle system, were filled up by promotion from settlement kanungos, with the intention of appointing them eventually as circle officers. This was done in accordance with the recommendation contained in paragraph 152 of the Report of the Bengal District Administration Committee that settlement kanungos would furnish a particularly favourable field for the recruitment of the additional sub-deputy collectors required for the circle system. The ordinary vacancies for 1919 have not yet been filled up.

(e) The Hon'ble Member probably refers to the following statement regarding district kanungos:—

'Kanungos who have done exceptionally good work will be eligible for promotion to the Subordinate Civil Service, and His Excellency in Council desires that whenever possible the services of efficient and deserving men should also be utilised as managers and sub-managers of Government and wards' estates.'

(f) Yes.

(g) One.

(h) Read up to the First Arts standard. A history of his services is laid on the table.

(i) Government do not propose to reserve any posts for district kanungos in connection with the recruitment of circle officers, but it is open to the Board to nominate district kanungos for those appointments as sub-deputy collectors that are made on the nomination of the Board."

Statement referred to in the answer by the Hon'ble MR. MCAPLIN to question No. 8 (unstarred) asked by the Hon'ble RAI MAHENDRA CHANDRA MITRA BAHADUR at the Council meeting of the 3rd September, 1919, showing the appointments made to the Subordinate Civil Service from amongst District and Settlement Kanungos from 1914 to 1919.

Year.	DISTRICT KANUNGOS.		SETTLEMENT KANUNGOS.	
	Total number appointed to be Sub-Deputy Collectors.	Name, educational qualifications and period of service.	Total number appointed to be Sub-Deputy Collectors.	Name, educational qualifications and period of service.
1914	1	Babu Dhurjati Kumar Dutta, 9 years' service.	3	(1) Babu Jaladhar Ghosh, B.L., 9 years' service. (2) Maulvi Muhammad Mahiuddin, F.A., 7 years' service. (3) Babu Kailashpati Ghosh, B.A., was not nominated as a Settlement Kanungo but in the ordinary way by the Collector.
1915	1	Babu Hem Chandra Sen, F.A., 8 years' service.	3	(1) Babu Prabhat Chandra Banarji, B.A., 9 years' service. (2) Maulvi Ali Azam, F.A., 9 years' service. (3) " Muhammad Elahi Daud, F.A., 9 years' service.

Questions and Answers.

Year.	DISTRICT KANUNGS.		SETTLEMENT KANUNGS.	
	Total number appointed to be Sub-Deputy Collectors.	Name, educational qualifications and period of service.	Total number appointed to be Sub-Deputy Collectors.	Name, educational qualifications and period of service.
1916	1	Babu Rajendra Nath Biswas, 11 years' service District Kanungo, Midnapur, on deputation as Sub-Assessor of the Calcutta Corporation.	1	Babu Sashi Bhushan Ghosh. Entrance. 15 years' service. Possessed special survey qualifications. Declared by the Director of Surveys, Bengal, fit for appointment as Technical Advisor to Settlement parties.
1917	Nil.	.....	2	(1). Babu Dwarkanath Das, B.A., Settlement Kanungo, on deputation under the Court of Wards. (2). Babu Mohini Mohan Chakrabatti, B.A., 10 years' service.
1918	2	(1). Babu Charu Chandra Bhattacharji, 10½ years' service. First nominee from the Rajshahi Division. Nominated by the Commissioner since 1915. (2). Maulvi Fazlal Karim, F.A., 4 years' service. A Settlement Kanungo from 1906 to 1914 and a District Kanungo since 1914. Well reported on and said to have been a first class District Kanungo.	Nil.	.....
1919	Nil.	.....	14	(1) Babu Prakriti Nath Basu, B.A., 13 years' service. (2) „ Anath Bandhu Ray, B.A., 12 years' service. (3) „ Suresh Chandra Ghosh, B.A., 12 years' service. (4) „ Saradah Prasanna Chaudhuri, B.A., 12 years' service. (5) „ Harendra Nath Mukharji, B.A., 12 years' service. (6) Maulvi Nazimuddin Ahmad, I.A., 12 years' service. (7) Babu Ashutosh Chaudhuri, F.A., 12 years' service. (8) „ Shib Charan Mitra, I.A., 12 years' service. (9) „ Pramada Kumar Basu, I.A., 12 years' service. (10) Maulvi Kazi Fazlul Karim, I.A., 12 years' service. (11) Babu Makhan Lal Banerji, B.A., 11 years' service. (12) „ Bir Chandra Mukharji, I.A., 11 years' service. (13) Maulvi Nazir Hussain, I.A., 11 years' service. (14) „ Shaikh Abdullah, I.A., 12 years' service.

Questions and Answers.

History of the services of Babu Haris Chandra Bal, Manager, Gobardanga and Mukherjee Wards' Estates referred to in the answer by the Hon'ble Mr. McALPIN to question No. 8 (unstarred) asked by the Hon'ble RAI MAHENDRA CHANDRA MITRA BAHADUR at the Council meeting of the 3rd September, 1919.

NAME OF APPOINTMENT.	Whether substantive or acting, and whether permanent or temporary.	If acting, here state substantive appointment.	Pay.	Acting allowance.	Date of appointment.	Date of termination of appointment.	Reason of termination (such as promotion, transfer, dismissal, etc.).
1	2	3	4	5	6	7	8
Head Clerk, Kanika Tahsil office (Manager's office).	Substantive, permanent.	...	Rs. 50	Rs. ...	1st May, 1882.	14th July, 1887.	Taken leave without pay.
Head Clerk, Drainage office, Hooghly.	Ditto ...	.....	30	...	18th July, 1887.	6th September, 1887.	Resigned.
Head Clerk, Kanika Tahsil office. (Manager's office).	Ditto ...	...	60	...	8th September, 1887.	29th October, 1890.	Transferred in the interest of public service for 3 months only.
Head Clerk, Land Acquisition office, Cuttack.	Acting, temporary	Head Clerk, Kanika Manager's office.	60	...	30th November, 1890.	7th February, 1891.	Reverted to the permanent appointment.
Head Clerk, Kanika Manager's office.	Substantive, permanent.	.....	60	...	8th February, 1891.	14th January, 1894.	Being appointed to act as Assistant Manager.
Assistant Manager, Kanika Raj Wards' Estate.	Acting, temporary	Head Clerk ...	60	40	15th January, 1894.	28th February, 1894.	Returned to permanent appointment.
Head Clerk, Kanika Manager's office.	Substantive, permanent.	.....	60	...	1st March, 1894.	25th December, 1894.	Appointed Superintendent of the Bhowanipur Wards' Estate, 24 Parganas.
Superintendent of Bhowanipur Wards' Estate.	Ditto ...	.....	75	...	1st January, 1895.	20th September, 1897.	Appointed to officiate for the Manager of the Bhowanipur Wards' Estate during his leave.
Offg. Manager, Bhowanipur Wards' Estate.	Acting ...	Superintendent	75	75	21st September, 1897.	21st November, 1897.	.....
Superintendent, Bhowanipur Wards' Estate.	Substantive, permanent.	.....	75	...	22nd November, 1897.	31st October, 1898.	To officiate for the Manager during his leave.
Offg. Manager, Bhowanipur Wards' Estate.	Acting ...	Superintendent	75	75	1st November, 1898.	31st December, 1898.	.....
Superintendent, Bhowanipur Wards' Estate.	Substantive, permanent.	.....	75	...	1st November, 1899.	15th February, 1899.	Release of the Bhowanipur Wards' Estate.
Assistant Manager, B. P. Roy Chowdhury's Estate, Bhowanipur.	Ditto ...	.....	75	...	16th February, 1899.	31st December, 1899.	Resignation to join another appointment.
Superintendent, Minakan Division, Port Canning and Company, Limited.	Ditto ...	.....	100	...	1st January, 1900.	31st December, 1900.	Promotion.
Superintendent, Minakan Division, Port Canning and Company, Limited.	Ditto ...	.....	125	...	1st January, 1901.	15th December, 1901.	Resignation to join Court of Wards' Estate.
Assistant to the Manager, Gopal Lal Seal's Wards' Estate.	Temporary ...	.....	100	...	17th February, 1902.	20th May, 1902.	Release of the Estate on the death of the ward.
Manager, Tarapada Ghose Estate, Kidderpore.	Substantive, permanent.	.....	100	...	1st January, 1903.	14th August, 1903.	Resignation to join the Pakur Wards' Estate.
Assistant Manager, Pakur Joint Wards' Estate.	Ditto ...	.....	150	...	15th August 1903.	13th November, 1904.	To join the Managership, Gobardanga and Panihati Wards' Estates.

Questions and Answers.

By the Hon'ble Maulvi A. K. Fazl-ul-Haq:—

9.

(a) Is it a fact that the office staff of the Director of Public Instruction have had a separate list since 1914 or thereabouts? If so, will the Government be pleased to state the reasons why officers of other clerical establishments, such as the Divisional Inspector's office, etc., have not been included in that special list?

Education
Department
Service lists.

(b) Is it a fact that the names of the officers of the Director of Public Instruction's office have not since then been published in either of the subordinate educational service or lower subordinate educational service lists since 1914? If so, will the Government be pleased to state the reasons why the public were kept in ignorance of the appointments, promotions, etc., in the office of the Director of Public Instruction?

Answer by the Hon'ble Mr. Goode:—

“(a) There has been a separate cadre for the office establishment of the Director of Public Instruction since December, 1915. There is a separate scale for the office of each of the other Heads of Departments in Bengal. Posts belonging to different establishments cannot conveniently be included in one common list.

(b) Yes, for the reason that these officers do not belong to these services any longer. It is contrary to the usual practice to notify the appointments and promotions of non-gazetted officers in the Secretariat offices and offices of other Heads of Departments.”

By the Hon'ble Maulvi A. K. Fazl-ul-Haq:—

10.

Will the Government be pleased to furnish a tabular statement showing—

- (1) the names of the officers of the office of the Director of Public Instruction;
- (2) their educational qualification on entry;
- (3) the date of their appointment and their pay on the 1st April, 1913, and 1st April, 1919, respectively; and
- (4) the number of years they have been serving in the office of the Director of Public Instruction?

Particulars
about officers
in the office of
the Director
of Public
Instruction.

Answer by the Hon'ble Mr. Goode:—

“A statement is laid on the table.”

Statement referred to by the Hon'ble MR. GOODE in his reply to question No. 10 (unstarred), asked by the Hon'ble MAULVI A. K. FAZL-UL-HAQ at the Council meeting on the 3rd September, 1919.

Serial No.	Name.	Educational qualification.	Date of appointment to Government service.	Pay on 1st April, 1913.	Pay on 1st April, 1919.	Number of years serving in Director of Public Instruction's office up to 1st April, 1919.	REMARKS.
1	2	3	4	5	6	7	8
1	Rai Sahib Surendra Neth Sinha.	B. A.	5th May, 1882.	Rs. 200	Rs. 250—10—300	Y. M. D. 15 7 4	Sub. <i>pro tempore</i> Personal Assistant from 1st March, 1918, on Rs. 300—40—500.
2	Mr. L. M. Martyr ...	No University qualification.	1st January, 1884.	250	250	20 3 0	

Questions and Answers.

Serial No.	Name.	Educational qualifications.	Date of appointment to Government service.	Pay on 1st April, 1913.	Pay on 1st April, 1919	Number of years serving in Director of Public Instruction's office up to 1st April, 1919.	REMARKS.
1	2	3	4	5	6	7	8
				Rs.	Rs.	Y. M. D.	
3	Mr. J. N. Mukherjee	M. A., Bar-at-Law.	1st March, 1909.	200	200	3 9 0	Transferred from the Howrah Zilla School.
4	Maulvi Abdul Latif Khan.	F. A., read up to B. A.	8th February, 1906.	125	200	10 0 0	
5	" Abul Hassan Abdul Quayyum.	F. A. ...	16th October, 1905.	150	175	13 5 0	
6	Babu Paresh Nath Chakravarty.	B. A., Honours in English.	8th October, 1905.	125	175	10 4 0	
7	" Abinash Chandra Mallik.	No University qualification.	11th January, 1883.	100	150	36 0 0	
8	" Sarat Chandra Dutta.	B.A., B.L. ...	13th July, 1908.	60	150	10 9 0	
9	" Rakhal Das Mallik.	No University qualification.	1st December, 1892.	75	150	26 0 0	
10	Maulvi Abul Khair ...	F.A., plucked B.A.	3rd May, 1905.	60	125	1 5 0	Retransferred from the office of the Assistant Director of Public Instruction for Muhammadan Education.
11	Babu Atul Chandra Ghose.	Entrance ...	1st October, 1897.	60	125	15 6 19	
12	" Bhola Nath Sircar.	Ditto ...	2nd June, 1903.	50	125	13 0 11	
13	" Chandra Nath Sen.	Ditto ...	1st November, 1887.	75	100	1 10 3	Transferred from the office of the Inspector of Schools, Chittagong Division, on Rs. 150.
14	" Pramatha Nath Banerji, No. I.	B.A., B.T. ...	13th December, 1907	50	100	4 10 24	Transferred from the Inspecting line on Rs. 50.
15	" Anath Bandhu Chakravarti.	Read up to F.A.	9th October, 1901.	50	100	17 5 22	
16	" Abinash Chandra Mukherjee.	No University qualification.	1st February, 1890.	50	80	28 14 0	
17	" Nakuleswar Roy	Entrance, read up to F. A.	1st September, 1900	60	80	17 2 18	
18	" Srish Chandra Ghose.	B. A. ...	26th April, 1907.	70	80	3 1 25	Transferred from the Sanskrit College on Rs. 70.
19	" Gokulananda Basak.	F. A., plucked B. A.	1st April, 1904.	50	80	15 0 0	
20	Mr. A. Gabriel ...	No University qualification.	28th October, 1916.	...	70	2 5 4	First appointment in Director of Public Instruction's office on 28th October, 1916.
21	Babu Bireswar Gupta	F. A., plucked B. A.	8th December, 1906.	50	70	9 4 21	
22	" Lalit Chandra Das Gupta	F. A., plucked B. A.	1st March 1909.	50	70	10 9 0	
23	" Provash Chandra Ghose.	F. A., plucked B. A.	1st November 1908.	50	70	11 5 0	

Questions and Answers.

Serial No.	Name.	Educational qualifications.	Date of appointment to Government service.	Pay on 1st April, 1913.	Pay on 1st April, 1919.	Number of years serving in Director of Public Instruction's office up to 1st April, 1919.	REMARKS.
1	2	3	4	5	6	7	8
				Rs.	Rs.	Y. M. D.	
24	Babu Surendra Nath Banerji, No. I.	Passed Commercial Course Examination.	12th July, 1906.	30—2—50	70	10 11 12	
25	„ Pramatha Nath Banerji, No. II.	F. A. ...	1st July, 1913.	50	60	5 9 0	First appointment in Director of Public Instruction's office on 1st July, 1913, on Rs. 50.
26	„ Ramesh Chandra Sen.	Entrance ...	1st December, 1907.	40	60	11 6 15	
27	„ Sarat Chandra Mukherji.	F. A., plucked B. A.	1st February, 1911.	35—2—45	60	8 2 0	
28	„ Alin Behari Basu	No University qualification.	23rd August, 1901.	30—2—50	60	15 2 17	
29	„ Satyabari Mukherji.	Entrance ...	20th December, 1915.	...	60	3 3 12	First appointment in Director of Public Instruction's office on Rs. 50.
30	„ Sashi Blusan Ghosh.	No University qualification.	1st December, 1900.	45	60	0 11 0	Transferred from the Agricultural Department on Rs. 50.
31	„ Basanta Kumar Sen.	Ditto ...	1st March, 1912	30—2—50	60	7 1 0	
32	„ Surendra Nath Majumdar.	Plucked F.A.	10th February, 1912.	30—1—35	50	7 1 19	
33	„ Rajendra Chandra Deb.	F.A., plucked B.A.	14th November, 1906	30—1—35	50	12 4 17	
34	Mr. L. D'Costa ...	Passed Senior Cambridge Examination.	1st September, 1917.	...	50	1 7 0	First appointment.
35	Maulvi Badiur Rahman.	B. Sc., Honours in Physiology.	25th August, 1916	...	50	2 7 7	First appointment in Director of Public Instruction's office on Rs. 40.
36	„ Tanuizuddin Ahmed.	No University qualification.	1st November, 1913.	35	50	5 5 0	Transferred from the office of the Assistant Director of Public Instruction for Muhammadan Education; first appointment in this office on Rs. 40.
37	„ Muhammad Tufazzal Hossain.	I. A. ...	21st December, 1915.	...	50	3 3 11	First appointment in this office on Rs. 30.
38	„ Azizur Rahman	Entrance ...	12th December, 1914.	...	50	4 3 20	Ditto.

Questions and Answers.

Serial No.	Name.	Educational qualifications.	Date of appointment to Government service.	Pay on 1st April, 1913.	Pay on 1st April, 1919.	Number of years serving in Director of Public Instruction's office up to 1st April, 1919.	REMARKS.
1	2	3	4	5	6	7	8
				Rs.	Rs.	Y. M. D.	
39	Maulvi Asimuddin Ahmed.	I. A.	14th August, 1916.	...	40	0 9 7	Transferred from the office of the Assistant Director of Public Instruction for Muhammadan Education.
40	Babu Nogendra Nath Gupta.	I. A.	14th December, 1916.	...	40	1 3 18	First appointment in Director of Public Instruction's office on Rs. 30.
41	" Bankim Chandra Ghose.	No University qualification.	1st April, 1917.	...	40	2 0 0	Ditto.
42	" Bhupat Nath Chakravarty.	Ditto	26th July, 1917.	...	40	1 8 6	Ditto.
43	Vacant	...	...	...	40	...	Mr. L. G. Manuel has been appointed on 19th May, 1919.
44	Babu Surendra Nath Banerji, No. II.	Entrance	14th September, 1917.	...	30	3 3 11	
45	Maulvi Gholam Ahmed.	I. A.	...	...	30	0 10 29	First appointment on Rs. 25.
46	" Ilias Ahmed	I. A.	1st August, 1918.	...	30	0 8 0	Ditto.
47	Babu Kumar Krishna Bose.	Entrance	1st March, 1918.	...	30	1 1 0	Ditto.
48	Maulvi Abdul Gafur Khan.	I. A.	31st August, 1918.	...	25	0 6 1	First appointment.
49	" Muhammad Mozhar Ali.	I. A.	24th March, 1919.	...	25	0 0 8	Ditto.
50	" Khondker Muhammad Ali.	I. A.	29th March, 1919.	...	25	0 0 3	Ditto.
51	Vacant	...	...	...	25	...	Maulvi Azizul Bari Khan has been appointed from 14th May, 1919.
<i>Typists.</i>							
52	Mr. V. A. S. Sarma	...	29th April, 1908.	125	100—5—150	10 11 3	Shorthand Typist.
53	Babu Upendra Nath Bhattacharyya.	...	1st January, 1889.	75	50—5—100	30 3 0	Ditto.
54	Mr. A. Jagadeshan	...	15th March, 1915.	...	50—2—70	4 0 17	Typist.
55	Mrs. D. Dean	...	21st December, 1915.	...	50—2—70	3 3 11	Do.
56	Babu Hari Nath Biswas.	...	22nd July, 1914.	...	30—2—50	4 8 11	Do.
57	" Anukul Chandra Chakravarty.	...	21st December, 1915.	...	30—2—50	3 3 11	Do.
58	" Nirendra Prosad Ghose.	...	Ditto	...	30—2—50	3 3 11	Do.
59	Maulvi Abdus Sobhan	...	1st April, 1917.	...	30—2—50	2 0 0	Do.

*Questions and Answers.***By the Hon'ble Maulvi A. K. Fazl-ul-Haq:—****11.**

Is it a fact that almost all the members of the staff of the office of the Director of Public Instruction have been favoured with promotions—some more than once, from the 1st April, 1913 to the 1st April, 1919? If so, will the Government be pleased to state the reasons why the cases of the officers in the graded services, Subordinate Educational Service and Lower Subordinate Educational Service, who are required to wait eight years before they can pass through a grade, have not been considered for promotions?

Promotions in the office of the Director of Public Instruction.

Answer by the Hon'ble Mr. Goode:—

“ Yes. There is a separate cadre for the Director of Public Instruction's office establishment.”

By the Hon'ble Maulvi A. K. Fazl-ul-Haq:—**12.**

Is it a fact that while filling up the lower vacancies in the office of the Director of Public Instruction preference has always been given to new recruits, though many graduates, long in service, have been in temporary or officiating posts? If so, will the Government be pleased to state why their cases have been overlooked?

Filling up of lower vacancies in the office of the Director of Public Instruction.

Answer by the Hon'ble Mr. Goode:—

“ The reply is in the negative.”

By the Hon'ble Maulvi A. K. Fazl-ul-Haq:—**13.**

Will the Government be pleased to state how many officers, if any, from the other offices of the Education Department have been taken into the office of the Director of Public Instruction since the annulment of the partition?

Officers admitted into the office of the Director of Public Instruction's office from other offices of the Education Department.

Answer by the Hon'ble Mr. Goode:—

“ Seven officers from other offices of the Education Department have been taken into the office of the Director of Public Instruction.”

By the Hon'ble Maulvi A. K. Fazl-ul-Haq:—**14.**

(a) Will the Government be pleased to state how many extensions have been granted to Rai Sahib Surendra Nath Singh, the present Personal Assistant to the Director of Public Instruction?

Extensions of service to Rai Sahib Surendra Nath Singh.

(b) Are the Government aware that the extensions granted to the officers occupying higher posts mean hardship to many? If so, why, having regard to the Imperial Government circular on the subject, has this gentleman been given extensions of service?

(c) Will the Government be pleased to state why the pay of Rai Sahib Surendra Nath Singh, Personal Assistant to the Director of Public Instruction, has been raised from Rs. 250 (grade I, Subordinate Educational Service) to Rs. 350?

*Questions and Answers.***Answer by the Hon'ble Mr. Goode:—**

“(a) Three extensions.

(b) Extensions of service have been granted to this officer in accordance with clause (a) of Article 459, Civil Service Regulations, of which a copy is laid on the table.

(c) The Rai Sahib's present permanent pay is Rs. 280 outside the graded service, his permanent post being that of the assistant next in rank to the Personal Assistant. For over a year, he has been holding substantively *pro tempore* the post of Personal Assistant in consequence of the absence on deputation to military duty of the permanent incumbent and his salary in this capacity is Rs. 340.”

Article 459 (a) of the Civil Service Regulations referred to in the answer by the Hon'ble Mr. Goode to question No. 14 (unstarred) asked by the Hon'ble MAULVI A. K. FAZL-UL-HAQ at the Council Meeting of the 3rd September, 1919.

459. (a) Ministerial officers who have attained the age of 55 may be required to retire, but should ordinarily be retained in service so long as they remain efficient until they come under the provisions of clause (e).

(e) An officer who has attained the age of 60 cannot be retained in the service of Government save in very exceptional circumstances, and with the sanction of the local Government.

By the Hon'ble Maulvi A. K. Fazl-ul-Haq:—

15.

Promotion of
Babu Adwait
Rakshit.

(a) Is it a fact that Babu Adwait Rakshit has been promoted to grade V, superseding about 70 senior officers in grade VI?

(b) Is it a fact that he was also appointed Head Master of the Chittagong School, though there were many officers above him in the grade?

(c) Is it a fact that he was removed from this post and made an Assistant Head Master owing to the representations made by senior officers?

(d) Is it a fact that he has been again appointed as Head Master of the Khulna Zila School as a special case? If so, will the Government be pleased to state the reasons for this promotion?

Answer by the Hon'ble Mr. Goode:—

“(a) In making Subordinate Educational Service promotions in September, 1916, Babu Adwaita Charan Rakshit, then Assistant Head Master, Chittagong Collegiate School, No. 70, in class VI, Subordinate Educational Service, was promoted substantively *pro tempore* to class V with effect from 16th April, 1916, superseding 68 officers above him. This special promotion was given him by Mr. Hornell after a personal inspection and in recognition of his excellent work.

(b) and (c) In June, 1916, during the absence on leave of Babu Rajendra Chandra Chakrabarti, late Head Master, Chittagong Collegiate School, local arrangements to fill the vacancy, were, as usual, preferred and hence the next in rank on the staff, viz., Babu Adwaita Charan Rakshit was

Questions and Answers.

appointed to act as Head Master as a temporary measure. When in the middle of 1917, the Head Mastership fell permanently vacant owing to the death of Rajendra Babu, it was considered expedient to fill up the vacancy by the appointment of an energetic officer who was a good teacher and a good disciplinarian. Accordingly, the inspectors of schools were asked to nominate an officer of these qualifications. As the result of the nominations received Babu Harpada Mukherji, then a senior officer in class V, was appointed as Head Master of the Chittagong Collegiate School.

Government are not aware whether any objection was taken to Adwaita Babu's appointment as Head Master by officers senior to him.

(d) In April, 1918 the Headmastership of the Khulna Zilla School fell permanently vacant by the retirement of its permanent incumbent, Babu Phatik Chandra Chakrabarti. Inspectors of schools were asked to nominate for the vacancy an energetic officer who was also a good teacher and disciplinarian. Of those nominated Babu Adwaita Charan Rakshit, though junior to some, was considered the best and he was accordingly appointed."

By the Hon'ble Maulvi A. K. Fazl-ul-Haq:—

16.

(a) Is it a fact that Babu Narendra Nath Ray, Head Clerk, Chittagong College, was originally in the graded service, and that he was then transferred to an outside grade on Rs. 60 when he was appointed to a post on Rs. 100 within a few years?

Promotion of
Babu Narendra
Nath Ray.

(b) Is it a fact that he has been only recently again put in a grade vacancy, in grade IV, over the heads of a large number of officers?

(c) Is it true that had he been in the graded service he would not have reached grade V at the present moment?

Answer by the Hon'ble Mr. Goode:—

"(a) Babu Narendra Nath Roy was originally in class VII of the Subordinate Educational Service. He was not appointed on Rs. 60 outside the graded service. From class VII, Subordinate Educational Service, he was appointed direct on Rs. 100 outside the graded service with effect from the 9th January, 1911, as Superintendent of the Office of the Inspectress of Schools, Dacca Circle, as he was considered to be well-qualified to hold that post.

(b) He has been promoted to Rs. 125 in class IV, Subordinate Educational Service with effect from 14th September, 1918, but not over the heads of a large number of officers. In fact no officer of class V, who might be considered to be deserving of promotion had put in longer service in that class than Narendra Babu had put in on Rs. 100 outside the graded service. Further, of the officers on Rs. 100 outside the graded service Narendra Babu was senior to all the rest.

(c) If Babu Narendra Nath Roy had remained in the graded service he would have been in class V now; many officers who were junior to him when he was in class VII of the Subordinate Educational Service are now in class V."

By the Hon'ble Maulvi A. K. Fazl-ul-Haq:—

17.

(a) Is there any truth in the statement that Babu Kula Bandhu Chakravarty, a matriculate clerk, now Head Clerk in the office of the Inspector of Schools, Dacca Division, passed the 7th grade of the Subordinate Educational Service in about two years' time due to special favour?

Case of Babu
Kula Bandhu
Chakravarti.

Questions and Answers.

(b) Is it a fact that this officer has recently been given special promotion from grade VI to grade V, within the course of about two years?

Answer by the Hon'ble Mr. Goode:—

“(a) On the nomination of the Inspector of Schools, Dacca Division, Babu Kula Bandhu Chakrabarti, who has read up to the B.A. standard and who at that time was 2nd Clerk in the Inspector's office on Rs. 50 outside the grades was appointed Head Clerk of that office and in class VIII of the Subordinate Educational Service in August, 1911. He was promoted from class VII to class VI in the ordinary course in July, 1916.

(b) He was given special promotion to class V with effect from October 2, 1918, over the heads of 59 officers. This special promotion he had thoroughly earned by the very efficient discharge of the particularly onerous duties he has to fulfil.”

By the Hon'ble Maulvi A. K. Fazl-ul-Haq:—

18.

Promotion of an outside grade officer to graded service.

Is it a fact that Babu Arun Chandra Ray, an under-graduate Head Clerk in the office of the Inspectress of Girls' Schools, Dacca, an outside grade officer on Rs. 60, has been promoted to grade V of the Subordinate Educational Service?

Answer by the Hon'ble Mr. Goode:—

“The reply is in the affirmative.”

By the Hon'ble Maulvi A. K. Fazl-ul-Haq:—

19.

Suspension of promotion to higher grades.

(a) Will the Government be pleased to state under what rules the Director of Public Instruction is empowered to suspend any graded officer's natural promotion to a higher grade when there is nothing against such officer?

(b) Will the Government be pleased to state the service conditions set out by the Secretary of State for India at the time of sanctioning the Subordinate Educational Service and Lower Subordinate Educational Service cadres?

(c) Will the Government be pleased to state under what rules the service conditions of meritorious officers in the Subordinate Educational Service cadre can be suspended by the Government or by the Director of Public Instruction in the way of stopping their promotions to higher grade vacancies?

(d) Will the Government be pleased to state how and under what rules an officer having served long in the Subordinate Educational grades can be put outside the grades and his promotion stopped, when there is absolutely nothing against his service?

(e) Is it a fact that Babu Joy Chandra Mahalanobis in grade III of the Subordinate Educational Service has been posted outside the grade without his consent?

(f) Is it a fact that in grade V there are still about 20 officers who have been there for more than eight years?

(g) Is it a fact that of all officers in the grades of the Subordinate Educational Service, the officers in grade V require a stay of more than eight years for promotion to a higher grade?

Questions and Answers.

(h) Is there any truth in the statement that this detention in grade V of experienced and meritorious officers is due to many indiscriminate postings of outsiders, outside grade officers and recipients of special promotions in the vacancies of the higher grades, especially in grade IV?

(i) Is it a fact that the congestion is mainly due to a disproportionate number of posts in the different grades and to new postings in grades without proper provision in the corresponding higher grades? If so, what steps are being taken for alleviating such congestion?

Answer by the Hon'ble Mr. Goode:—

“(a) and (b) No service conditions were laid down by the Secretary of State for the Subordinate Educational Service. In the Government of Bengal resolution of the 30th March, 1897, constituting the service, of which a copy is laid on the library table, two principles were laid down:—

(i) promotion from class to class will not be determined by seniority alone. Seniority is only one of the conditions which render an officer eligible for promotion. Efficient service in the posts hitherto held, the nature of the appointments in which officers are serving, and capacity to fill posts of higher responsibility, are other determining factors of equal importance, which are to be considered as well as seniority;

(ii) promotion of an officer to a post of greater responsibility will not necessarily imply promotion to a higher class on higher pay. An officer's selection for a post of greater responsibility will be an indication of his fitness for promotion at some future time, and in this way he will indirectly be a gainer; and in accordance with these the Director of Public Instruction is competent to withhold the promotion of those officers whose work is not satisfactory or is of a less responsible character.

(c) The Hon'ble Member is referred to the reply to (a) and (b) above. Promotions of meritorious officers are not stopped.

(d) There are no such rules but in some cases where it was felt that the officers had reached the maximum that their qualifications and responsibilities justified they have been put outside the grades so as to relieve the block in promotions.

(e) The reply is in the affirmative.

(f) No. There are only two such officers.

(g) Officers in grade V of the Subordinate Educational Service have ordinarily to remain in that grade for about six years.

(h) and (i) The Hon'ble Member is referred to the reply given to question No. 20.”

By the Hon'ble Maulvi A. K. Fazl-ul-Haq:—

20.

(a) Is it a fact that under the rules sanctioned by the Secretary of State for India every officer in the Subordinate Educational Service with good service is bound to reach to the top grade before retirement?

(b) Will the Government be pleased to state how many years are required by an officer under the present conditions of service in the Subordinate Educational Service, to reach grade V and to reach grade I, if he is a graduate and enters service in grade VII?

Promotions and prospects of officers in the Subordinate Educational Service.

Questions and Answers.

(c) Are the Government aware that an officer requires about six years on an average in passing a grade in the Subordinate Educational Service?

(d) Is it a fact that the new posts in the grades of the Subordinate Educational Service sanctioned by the Government have got no corresponding proportionate posts sanctioned in the higher grades?

(e) If so, what steps are the Government taking against the stoppage of promotions by the younger men?

(f) Are the Government aware of the fact that the new appointments created and postings made in grades I, II, III, and IV of the Subordinate Educational Service (especially in the last) as foreman mechanic instructors, lady teachers, lecturers and demonstrators of colleges and upper subordinate teachers, have seriously prejudiced the promotions and the future prospects of graduate teachers who have been occupied in actual teaching work for the last ten or fifteen years in the Sibpur and Dacca Engineering Institutions?

Answer by the Hon'ble Mr. Goode:—

“(a) There are no rules of the Secretary of State for India about the Subordinate Educational Service.

(b) It cannot be said definitely how many years are required to reach grade V or I starting from VIII. Roughly speaking an officer starting from grade VIII should reach grade V in about 16 to 18 years and grade I in about 25 to 30 years.

(c) In the last four grades of the Subordinate Educational Service the average is about 5 or 6 years and in the 1st four grades about 4 years.

(d) It is a fact that the present grading is unsatisfactory.

(e) and (f) It is presumed that the Hon'ble Member refers to promotion being retarded by the appointment of young men outside the service direct to higher pay. Lecturers and Demonstrators of colleges, women B.A., B.T.'s and Foremen Instructors of Engineering Institutions, etc., have to be appointed on a higher rate of pay. This is unavoidable but for appointments of this kind new posts on higher pay are created and only in very few cases are actual grade vacancies utilised for making direct appointments from outside on higher pay. It is recognised that the present practice is prejudicial to the interests of those in lower grades but it is hoped to reorganise the service in the near future and the principles on which reorganisation should proceed are being worked out.”

By the Hon'ble Babu Bhabendra Chandra Ray:—

21.

Ineligibility of certain high school students for junior matriculation scholarships.

(a) Is it a fact that under orders of Government or the Director of Public Instruction, students of certain high schools are to be made ineligible for junior scholarships on the result of the Matriculation Examination of the Calcutta University?

(b) If so, will the Government be pleased to state the names of all such schools explaining the reasons for such orders in each case?

Answer by the Hon'ble Mr. Goode:—

“(a) Yes. These orders have since been withdrawn.

(b) A list is laid on the table.”

Questions and Answers.

List referred to in the answer by the Hon'ble Mr. Goode to Question No. 21 (unstarred) asked by the Hon'ble Babu Bhabendra Chandra Ray at the Council meeting of the 3rd September, 1919, showing the High Schools from which scholarship rights have been withheld under orders of the Director of Public Instruction, Bengal.

	Date of orders withholding scholarship rights.
1. Sachar High English School in Tippera district	... 4-4-19
2. Sonamukhi High English School in Bogra district	... 4-4-19
3. Farashganj High English School in Noakhali district	... 4-4-19
4. Chirulia High English School in Khulna district	... 4-4-19
5. Nalchira High English School in Bakarganj district	... 4-4-19
6. Haria High English School in Midnapore district	... 4-4-19
7. Shibganj High English School in Howrah district	... 4-4-19
8. Saffatola High English School in Mymensingh district	... 4-4-19
9. Karanjali High English School in 24-Parganas district	... 3-4-19
10. Chauk-Bochai High English School in Bogra district	... 4-4-19
11. Chandiprosad High English School in Bakarganj district	... 4-4-19
12. Boalmari George High English School in Faridpur district	... 4-4-19
13. Gorabazar I. C. High English School in Murshidabad district	... 4-4-19
14. Boalia High English School in Tippera district	... 5-4-19
15. Sankrail Abhay Charan High English School in Howrah district	5-4-19
16. Rangunia High English School in Chittagong district	... 8-4-19
17. Masni High English School in Khulna district	... 8-4-19
18. Ramananda High English School at Kishorganj in Mymensingh district.	1-5-19

By the Hon'ble Babu Bhabendra Chandra Ray:—

22.

(a) Will the Government be pleased to state the methods by which the estimate that one-fifth of a ton of food-grains is required per head of the population per annum has been arrived at, and when was this estimate first made? Normal requirements of Bengal in food-grains for human consumption.

(b) What are the reasons for believing that this is an over-estimate, and since when, and by whom has this belief been entertained?

(c) Has any inquiry been held for the purpose of ascertaining the exact normal requirements of Bengal in food-grains for human consumption? If so, when, by whom, in what manner, and with what specific results?

Answer by the Hon'ble Mr. McAlpin:—

(a) The Government of Bengal are not aware how or when first the estimate that one-fifth of a ton of food-grains is required per head of the population in India, was arrived at.

(b) The reason for believing it to be an over-estimate was its failure when applied as a working formula for deciding the requirements of each province.

Questions and Answers.

It is understood that all provinces which attempted to utilize the formula share this belief: when it was arrived at is not known to this Government.

(c) No; but calculations have been made as to the average quantity of rice consumed per head in Bengal."

By the Hon'ble Babu Bhabendra Chandra Ray:—

23.

Total production of food-grains for Bengal during the last five years.

(a) Will the Government be pleased to make a statement showing the total production of food-grains in Bengal during each of the last five years and the difference between the total export and import thereof in the corresponding periods?

(b) Has there been any excess of exports over imports of food-grains in Bengal during the last ten years? If so, when, and by how much?

Answer by the Hon'ble Mr. McAlpin:—

"(a) A statement is given below:—

			Total estimated production of food-grains, excluding pulses, during the last five years.	Net imports of food-grains during the last five years.
			Tons.	Tons.
1914-15	...	...	6,514,000	435,264
1915-16	...	...	8,421,000	761,062
1916-17	...	...	8,176,000	679,792
1917-18	...	...	8,770,000	283,999
1918-19	...	...	7,011,000	48,577

No estimate is made of the production of pulses.

No statistics are available for inter-provincial imports and exports by road and by steamer or country boat between Bengal outside Calcutta and (1) Bihar and Orissa and (2) the United Provinces.

(b) A statement is given below:—

			Net exports.†
			Tons.
1910-11*	...	...	213,079
1911-12*	...	...	543,291
1912-13	...	...	177,224

* For Bengal as then constituted, i.e., including Bihar and Orissa but excluding Eastern Bengal and Assam, except in the case of the sea-borne trade statistics which include Bihar and Orissa and also Eastern Bengal and Assam.

† Exclusive of the inter-provincial imports and exports for which figures are not available [vide answer to (a)].

By the Hon'ble Babu Bhabendra Chandra Ray:—

24.

Surplus of food-grains in normal years.

With reference to the statement made by the Hon'ble Mr. Cumming on the 4th July last that in Bengal "there is a considerable, though not a very great, surplus (of food-grains) in normal years," will the Government be pleased to state in detail the grounds for this opinion?

*Questions and Answers.***Answer by the Hon'ble Mr. McAlpin:—**

"The statement was made as regards rice, not as regards food-grains. It is based on the nearest approach to an estimate of the daily consumption of rice per individual—man, woman and child—in Bengal which can be obtained, viz., one pound or eight chittaks a day."

By the Hon'ble Babu Bhabendra Chandra Ray:—

25.

With regard to 1917-18, during which, as stated by the Hon'ble Mr. Cumming on the 4th July last, we had "one of the finest rice crops in Bengal on record", will the Government be pleased to state the total quantity of Bengal's export and import, respectively, of rice, during that year?

Total export
and import of
Bengal rice in
1917-18.

Answer by the Hon'ble Mr. McAlpin:—

"The figures, excluding those for inter-provincial imports and exports by road and by steamer or country-boat between Bengal outside Calcutta and (1) Bihar and Orissa and (2) the United Provinces, which are not available, are:—

			Tons.
Exports	...	...	361,074
Imports	...	...	407,749 "

By the Hon'ble Babu Bhabendra Chandra Ray:—

26.

(a) With regard to the "different degrees of accuracy attributable to the data upon which such estimates (of the quantities of food-grains available per head) have to be based," referred to in reply to an unstarred question at the meeting held on the 12th August last, will the Government be pleased to indicate the probable elements of inaccuracy, if any, in the matter of statistics relating to (i) the total yield of rice, and (ii) the export and import thereof, so far as Bengal is concerned, and the probable margin of such inaccuracy?

Accuracy of
agricultural
statistics.

(b) Is there any reason to suppose that the trade returns relating to export and import as published by Government are inaccurate? If so, to what extent, and when was such inaccuracy first suspected or detected in Bengal, and under what circumstances?

(c) To what extent can the agricultural statistics published by the Government of Bengal be depended upon?

Answer by the Hon'ble Mr. McAlpin:—

"(a) There is an element of inaccuracy in the total reported yield of rice in Bengal because a cadastral survey, which would give the correct area under rice at the time of the survey, has not yet been completed for the whole Province.

Further, the reported figures for exports and imports do not include figures for inter-provincial imports and exports by road and by steamer or country boat between Bengal outside Calcutta and (1) Bihar and Orissa and (2) the United Provinces which are not available. Government are unable to say what the probable margin of inaccuracy is; but cadastral surveys show that the area under rice had been previously underestimated on the average in districts so surveyed by 7 per cent.

Questions and Answers.

(b) and (c) The Hon'ble Member is referred to the above answer. There is no reason to suppose that the trade returns relating to export and import as published by Government are inaccurate for the particular line of traffic for which the returns are compiled."

By the Hon'ble Babu Bhabendra Chandra Ray:—

27.

The decision to treat Bengal as a surplus province.

(a) With reference to the reply to my question at the last meeting regarding the decision to treat Bengal as a surplus province, will the Government be pleased to state the date or dates on which they "submitted their views," though not formally consulted, and the purport of such views on each occasion?

(b) With regard to the census of rice stocks held in November last, referred to in the said reply, is it not a fact that the said census was pronounced by Sir Henry Wheeler on the 19th February last as incomplete, and by the Hon'ble Mr. Cumming on the 4th July last as patently incorrect?

(c) Beyond the said census, what were the other "facts regarding the situation" upon consideration of which Government were satisfied that Bengal could not be treated as a deficit Province?"

Answer by the Hon'ble Mr. McAlpin:—

"(a) Government are not prepared to give the information asked for.

(b) Yes.

(c) Comparative prices, estimate of the rice crops of previous years, forecast of the winter rice crop of 1918-19 and information as to the general economic situation in each district."

By the Hon'ble Babu Bhabendra Chandra Ray:—

28.

The meaning of a "surplus province".

Will the Government be pleased to explain what is meant by a "surplus province"? Is the term applicable to Bengal, in so far as it "could not be treated as a deficit province"?

Answer by the Hon'ble Mr. McAlpin:—

"A 'surplus province' is a province possessing stocks of food-stuffs in excess of their requirements at the time. The term was so used as applicable to Bengal in respect of rice, in so far as 'it could not be treated as a deficit province' in the answer to the question to which the Hon'ble Member alludes."

By the Hon'ble Babu Bhabendra Chandra Ray:—

29.

Conferences held at Nagpur and Delhi on the question of food supplies.

(a) Are the Government aware of a conference held at Nagpur in August, 1918, under the presidency of Sir Claude Hill, to consider the question of food supplies, and also of a similar conference held subsequently at Delhi?

(b) If so, were the Government of Bengal represented at the said two conferences, or were they asked to send any representative thereto?

(c) Have the Government any information regarding the decisions arrived at, or discussions held, in the said two conferences, and how the same affected Bengal? If so, will the Government be pleased to make a detailed statement about it?

Questions and Answers.

(d) Were any estimates or statements prepared for these conferences on behalf of the Government of Bengal, or was any expression of opinion made in any other form on their behalf at these conferences in regard to the rice position in Bengal? If so, will the Government be pleased to state the purport thereof?

(e) Is it a fact that the decision to treat Bengal as a "surplus province" was practically arrived at in these conferences after due regard being paid to representations made on behalf of the Government of Bengal?

Answer by the Hon'ble Mr. McAlpin:—

"(a) Yes.

(b) The conferences were not conferences of Governments, but meetings of Directors of Civil Supplies intended to facilitate the working of the control system. The Director of Civil Supplies, Bengal, attended, with the permission of the Government of Bengal, but not as their representative.

(c) Yes. Government are unable to make a statement as to the proceedings of a conference held under the directions of the Government of India.

(d) A statement was prepared by the Director of Civil Supplies. The Hon'ble Member is referred to the reply to the last part of question (c)

(e) The Hon'ble Member is referred to the answer given to his question No. 18 asked at the Council meeting of the 12th August."

By the Hon'ble Babu Bhabendra Chandra Ray:—

30.

Will the Government be pleased to lay on the table a copy of the "representation made to the Government of India in May last," as a result of which the export of rice from Bengal is stated to have diminished? Export of rice from Bengal.

Answer by the Hon'ble Mr. McAlpin:—

"Government are not prepared to lay a copy of the representation on the table."

By the Hon'ble Babu Bhabendra Chandra Ray:—

31.

(a) With regard to the duties of the Director of Civil Supplies, on behalf of the Local Government will the Government be pleased to state what supervision, if any, is exercised over him by the Local Government in the matter of his discharge of the said duties? Duties of Director of Civil Supplies.

(b) What are the methods employed by him in discharging his functions on behalf of the Local Government under clauses (a) and (b) of the reply to unstarred question No. 19 of the 12th August last? Will the Government be pleased to give typical instances of each case, and state how often these powers have been exercised by him?

Answer by the Hon'ble Mr. McAlpin:—

"(a) Government supervise the work of the Director of Civil Supplies in the same way as they supervise that of any other officer directly responsible to them.

(b) The prevention of competitive purchases by certificate holders was arranged by requesting Directors of Civil Supplies, in other provinces, to refuse certificates to persons whose representatives in Bengal bought rashly and by arranging that purchases for a province should be made by a limited number of firms only: thus it was arranged that Sind should buy through three firms only.

Questions and Answers.

The control over movements within the province is exercised by making arrangements with the railways for wagons to be supplied or refused at the various stations or by refusing certificates. A typical instance is the arrangement by which the Assam-Bengal Railway was to move uncontrolled Burma rice from Chittagong only if booked through to stations in those districts of Bengal or Assam where it was required.

To state how often steps were taken of this kind is impossible; much of the work was done by unofficial arrangements with the Railways concerned of which no record was kept."

By the Hon'ble Babu Bhabendra Chandra Ray:—

32.

Grant of
priority
certificates.

(a) With reference to the answer to unstarred question No. 22 of the 12th August last, will the Government be pleased to state the circumstances in which certificates have been altered at the instance of the local Director, and how often they have been so altered?

(b) Is the local Director permitted to make any such alteration in the priority certificates on his own initiative? Or, is agreement of the issuing Director an essential pre-requisite for this purpose?

Answer by the Hon'ble Mr. McAlpin:—

"(a) Certificates sent by other Directors are never altered at the instance of the local Director.

(b) There are no formal rules on the subject. Alterations are made sometimes at the special request of the issuing Directors and sometimes on the basis of informal understandings previously arrived at with them."

By the Hon'ble Babu Bhabendra Chandra Ray:—

33.

Relations
between the
Director of
Civil Supplies
and the
Collector of
Customs.

What are the relations between the Director of Civil Supplies and the Collector of Customs, in the matter of export by sea?

Answer by the Hon'ble Mr. McAlpin:—

"Licenses for export of rice by sea to Rangoon require the countersignature of the Director of Civil Supplies, Bengal. Otherwise he has no direct connection with the Collector of Customs, who, however, keeps him informed as to amounts exported."

By the Hon'ble Babu Bhabendra Chandra Ray:—

34.

Placing of a
maximum limit
on the total
quantity of rice
to be exported
from Bengal.

Was any maximum limit placed at any time upon the total quantity of rice which could be exported from Bengal, by sea and otherwise? If so, when, and what was the said maximum?

Answer by the Hon'ble Mr. McAlpin:—

"Not so far as the Government of Bengal are aware."

By the Hon'ble Babu Bhabendra Chandra Ray:—

35.

Census of rice
stocks.

With reference to the reply to unstarred question No. 26 of the 12th August last, will the Government be pleased to publish a detailed statistical statement showing the results of the recent census of rice stocks?

Answer by the Hon'ble Mr. McAlpin:—

"Government are not prepared to publish such a statement."

Questions and Answers.

By the Hon'ble Babu Bhabendra Chandra Ray:—

36.

Will the Government be pleased to state the various rates at which Rates of Burma rice. Burma rice can be sold at the headquarters of the different district towns in Bengal?

Answer by the Hon'ble Mr. McAlpin:—

"A statement is laid on the table. The apparent discrepancies between the rates in different districts are due not only to differences in local conditions but also to different varieties of rice having been imported or taken as a basis of calculation.

The notice published by the Director of Civil Supplies on the 30th July last, giving the maximum prices per maund fixed for sales of Burma rice by licensed importers, is also placed on the table."

Statement referred to by the Hon'ble MR. McALPIN in his reply to question No. 36 (unstarred) asked by the Hon'ble BABU BHABENDRA CHANDRA RAY at the Council meeting of the 3rd September, 1919, showing the various rates at which Burma rice can be sold at the headquarters of the different district towns in Bengal.

DISTRICT.	ACTUAL RATE OF SALE PER MAUND.		Rate calculated as possible by district officers.
	Controlled.	Uncontrolled.	
1	2	3	4
	RS. A. P.	RS. A. P.	RS. A. P.
Burdwan	6 2 6	.....	.....
Birbhum ... ..	.....	.....	6 9 0
Bankura	6 11 0	.....	.....
Midnapur ... ..	.....	.....	6 8 0
Hooghly ... ..	.....	.....	6 9 0
Howrah ... ..	.....	8 0 0	.....
24-Parganas ... ..	.....	5 15 0	.....
Nadia ... ..	.....	.....	{ 7 0 0 according to 6 9 0 quality.
Murshidabad ... ..	.....	.....	5 13 0
Jessore	6 14 0	.....	.....
Khulna ... ..	.....	.....	6 10 0
Dacca ... ..	.....	.....	0 4 0 annas above cost price.
Mymensingh ... ..	.....	.....	7 10 0 to 7 12 0
Faridpur ... ..	.....	.....	6 8 0
Bakarganj	{ 6 8 0 5 12 0	.....	.....
Rajshahi ... ..	.....	.....	6 14 0
Dinajpur ... ..	.....	.....	6 15 0
Jalpaiguri ... ..	.....	.....	.....
Rangpur	7 3 6	.....	.....
Bogra	{ 7 1 6 6 14 0	.....	.....
Pabna ... ..	.....	7 2 6	.....
Malda ... ..	.....	.....	6 11 0
Darjeeling	7 5 0	.....	.....
Chittagong ... ..	.....	8 6 0	.....
Chittagong Hill Tracts	.....	6 4 0	.....
Tippera ... ..	.....	.....	7 1 0
Noakhali ... ..	.....	.....	8 0 0

*Questions and Answers.**Notice referred to in No. 36 (unstarred).*

THE following are the maximum prices per maund fixed for sale of Burma rice by licensed importers :—

I.—Rangoon qualities.

			C. I. F.			Ex Godown.			
			Rs.	A.	P.	Rs.	A.	P.	
Big Mills Specials	5	8	6	5	13	0
Small Mills Specials	5	10	0	5	14	6
S. Q.	5	12	0	6	0	6
3 Stars	5	13	0	6	1	6
2 Stars	6	0	0	6	4	6
No. 1	6	1	0	6	5	6
Meedlong	5	10	0	5	14	6
Mill Sagandhi	6	4	0	6	8	6
16 Parts Cargo rice	5	1	0	5	5	6
5 Parts Cargo rice	4	15	0	5	3	6
1 rokens A. Extra	5	11	6	6	0	0
„ A. 1	5	8	6	5	13	0
„ A. 2	4	14	0	5	2	6
„ A. 3	4	1	0	4	5	6
„ B. 1	5	2	0	5	6	6
„ B. 2	4	10	0	4	14	6
„ B. 3	3	14	0	4	2	6
„ C. 1	5	1	6	5	6	0
„ C. 2	4	8	0	4	12	6
„ C. 3	3	13	0	4	1	6
„ A. 4	3	6	0	3	10	6
„ A. 5	3	6	0	3	10	6
„ B. 4	3	4	0	3	8	6
„ B. 5	3	4	0	3	8	6
„ C. 4	3	2	0	3	6	6
„ C. 5	3	2	0	3	6	6
„ No. 6	3	2	0	3	6	6
„ No. 7	2	13	0	3	1	6
Cargo Brokenes	2	15	0	3	3	6

For Bassein qualities, as above with the addition of one anna per maund in each case.

II.—Moulmein qualities.

		C. I. F.			Ex Godown.			
		Rs.	A.	P.	Rs.	A.	P.	
Shangalya Big Mills Specials	5	10	0	5	14	6
„ Small Mills Specials	5	11	0	5	15	6
Yahine Big Mills Specials	5	12	0	6	0	6
„ Small Mills Specials	5	14	0	6	2	6
Konkgyee Big Mills Specials	5	10	0	5	14	6
„ Small Mills Specials	5	11	0	5	15	6
Brokenes	4	2	0	4	6	6
Cargo Brokenes	3	0	0	3	4	6

*Questions and Answers.***III—Boiled rice ; Rangoon qualities.**

		C. I. F.			<i>Ex Godown.</i>		
		Rs.	A.	P.	Rs.	A.	P.
Long Grained Specials	6	9 0	6	13	6
Small Grained Loonzain	6	3 0	6	7	6
Millchar	6	7 6	6	12	0
Nagatsein Specials	6	0 0	6	4	6
„ Loonzain	5	12 0	6	0	6
Meedon No. 1	6	2 0	6	6	6
Konkgyee Loonzain	5	12 0	6	0	6

For Bassein and Moulmein qualities, as above with the addition of one anna per maund in each case.

A.—All licensees must observe the following conditions in future :—

- (1) They must deposit in my office a true copy of any delivery telegram received by them from Rangoon within two days of its receipt.
- (2) They will not be paid “bitty”.
- (3) They must engage to sell the rice if so required only to firms nominated by me.

B.—When they have been required to sell the rice to my nominees they will be subject to the following conditions :—

I.—When selling *ex godown* from Kidderpore Docks—

- (1) they will be paid 95 per cent. of the purchase price when they hand over the delivery order to the purchaser. Before receiving this payment they must satisfy the purchaser that they have properly insured the rice against risk of fire, etc.
- (2) they will bear all demurrage charges, etc., for 21 days from the date when unloading of the ship is completed : if delivery has not been taken within 21 days all such subsequent charges will be borne by the purchaser.
- (4) the balance of the purchase price will be paid when delivery is taken, or on the expiry of the 21 days.

II.—When selling *ex godown* from any godown outside Kidderpore Docks they will be paid in full against delivery.

Note.—No guarantee is given that a purchaser will be nominated for any particular consignment of rice imported.

H. P. V. TOWNEND,
Director of Civil Supplies, Bengal.

CALCUTTA,
The 30th July 1919.

*Questions and Answers.***By the Hon'ble Babu Bhabendra Chandra Ray:—**

37.

Extension of
medical relief
in rural areas.

(a) Are the Government aware of the recent decision of the Government of Madras to extend medical relief in rural areas by making substantial grants to local bodies for three years?

(b) If so, are the Government considering the desirability of taking any similar action in Bengal?

Answer by the Hon'ble Mr. Goode:—

(a) The reply is in the affirmative. Itinerant dispensaries have been tried by the sanitary department in Bengal and have so far proved unsuccessful owing to difficulties of communication and of supervision.

(b) Government do not propose to take any action in this direction at the present moment.

By the Hon'ble Mr. Phelps:—

38.

Use of the
Kinematograph
in diffusing
elementary
knowledge of
hygiene, etc.,
in the mufassal.

(a) In regard to the suggestion put forward in my budget speech advocating the use of the Kinematograph in diffusing elementary knowledge of hygiene, etc., in the *mufassal*, will the Government be pleased to state whether the same has their approval?

(b) If the answer is in the affirmative, what steps are the Government taking in the matter?

(c) If the answer is in the negative, will the Government be pleased to state the reasons they have against taking up the suggestion?

Answer by the Hon'ble Mr. Goode:—

"(a), (b) and (c) Government recognize the advantages of visual instruction by means of the cinematograph. The Sanitary Commissioner has already devoted considerable attention to the subject; he is unable to get suitable films prepared in India. In any case, the cost would be very heavy. Government have done a good deal to provide visual instruction in hygiene by means of magic lanterns.

Eighteen municipalities which (1) employ health officers or sanitary inspectors and (2) have *guru*-training schools located within their limits, have been supplied with lanterns and slides for a course of 12 lectures."

The Hon'ble Mr. Phelps, by way of a supplementary question, said:—

"I hope that the Government will not lose sight of what I consider to be a very important method of teaching the ignorant people the elementary science necessary for their comfort and progress. My friends have asked me to press the matter."

The President said:—

"Order, order. If the Hon'ble Member is asking a supplementary question he is not entitled to argue the point."

Questions and Answers.

The Hon'ble Mr. Phelps said :—

I simply wish to ask whether the Government intend pursuing the subject at an early date."

The Hon'ble Maharajadhiraja Bahadur of Burdwan replied :—

"My Lord, it is not properly a question. Government will consider the matter when examining the whole question."

By the Hon'ble Mr. Arun Chandra Singha:—

39.

(a) Are the Government aware that in a suit for enhancement of rent, on the ground of a rise in prices of staple food-crops the Court is required, under section 32 of the Bengal Tenancy Act, 1885, to compare the average prices during two decennial periods and that for this purpose the Court has to refer to the price-lists published by the Government under section 39 of the said Act?

Supply to civil courts of price-lists of staple food-crops.

(b) Is it a fact that in civil courts in the mufassal copies of the official Gazette in which such price-lists are published, are not always regularly preserved and that the plaintiff is required to file a certified copy of such issues of the Gazette at his own cost?

(c) Is it also a fact that for the convenience of Revenue Officers trying enhancement suits under section 105 of the Bengal Tenancy Act, 1885, a complete list of the average prices for 20 years is prepared by the authorities and duly supplied to such officers?

(d) If so, are the Government contemplating taking steps for the removal of this inconvenience to the litigants, either by supplying all civil courts with similar price-lists or making any other convenient arrangement?

Answer by the Hon'ble Mr. Duval:—

"(a) Yes.

(b) Under the High Court rules District Judges are required to preserve in their record rooms a copy of the *Calcutta Gazette* bound in yearly volumes for a period of 12 years, and it is presumed that this rule is complied with.

With regard to the latter part of this question Government have no information on the point.

(c) A list showing the average prices of staple food crops for twenty years was prepared in the office of the Director of Land Records, Bengal, and copies of it were supplied to Commissioners, Collectors and Settlement Officers.

(d) It is ordinarily the duty of litigants to file in Court certified copies of any documents which may be necessary to prove their case. Under rule 111 in the Bengal Records Manual (pages 24—25 of the edition of 1915) District Officers are required to preserve one copy of the Gazette permanently, and, that being so, litigants should experience no difficulty in obtaining certified copies of the lists, or of such portions thereof as may be necessary to their purpose."

By the Hon'ble Babu Akhil Chandra Datta:—

40.

(a) Is it a fact that a memorial has been submitted to His Excellency the Governor of Bengal by the inhabitants of Bajitpur, Kaliarchar and other neighbouring villages of the district of Mymensingh praying for the location of the subdivisional headquarters of the proposed new district of Kishoreganj at Kaliarchar instead of Bajitpur?

Location of the subdivisional headquarters of the proposed new district of Kishoreganj.

Questions and Answers.

(b) Is it a fact that the merits and demerits of the two places are discussed at length in the said memorial?

(c) Have the Government considered or are they considering the arguments advanced in the said memorial in favour of Kaliarchar and against Bajitpur?

(d) Have the Government come to any final decision on the question?

Answer by the Hon'ble Mr. Kerr:—

“(a) and (b) Yes.

(c) and (d) The question has been very fully considered on several occasions during the last four years and Government have finally decided that the headquarters should be at Bajitpur.”

By the Hon'ble Babu Akhil Chandra Datta:—

41.

Case of a
Chaukidar.

With reference to the reply given to my unstarred question No. 39 asked at the meeting of Council on the 12th August last, will the Government be pleased to say whether it is a fact that the Chaukidar submitted a representation to the District Magistrate in which he adheres to his former statements that the man died of starvation and that he had actually been going without food for some days prior to his death?

Answer by the Hon'ble Mr. McAlpin:—

“It has been ascertained that such a representation was made by way of appeal. The matter is pending with the District Magistrate.”

By the Hon'ble Babu Akhil Chandra Datta:—

42.

Pay of
sub-registrars.

(a) Is it a fact that the maximum pay of sub-registrars under the commission system before 1880 was Rs. 250 and that their maximum pay under the present system is Rs. 150?

(b) Are the Government aware that there is a feeling of dissatisfaction amongst the sub-registrars on the following grounds, namely:—

(i) that their pay has not been raised although the pay of the provincial services, both executive and judicial, has been raised;

(ii) that the minimum pay of the district sub-registrars is lower than that of the sub-deputy collectors; and

(iii) that the practice formerly in vogue of recruiting some officers of the provincial service from amongst the sub-registrars has been abolished?

(c) Are the Government considering the desirability of raising the pay of the sub-registrars proportionately to the increments which have been allowed in the provincial services?

Answer by the Hon'ble Mr. McAlpin:—

“(a) Prior to 1880 sub-registrars were remunerated by commission on certain percentages of the fees realised in each office without any maximum limit in practice. According to a list prepared in 1878, 171 sub-registrars

Questions and Answers.

drew under Rs. 100 a month, 21 sub-registrars drew between Rs. 100 and Rs. 150 and 2 drew over Rs. 150, viz., Rs. 152 and Rs. 153 respectively. The maximum pay of a sub-registrar is now Rs. 150.

(b) No. The grounds stated are not correct; for the following reasons:—

- (i) only the pay of the lowest grade of the provincial services, both executive and judicial, has been raised from Rs. 200 to Rs. 250;
- (ii) the minimum pay of a district sub-registrar is now Rs. 200 a month while that of a sub-deputy collector is Rs. 100; and
- (iii) in view of the superior qualifications required for the provincial service, the Registration Department is not suitable as a normal recruiting ground for that service; but it is open to the Inspector-General to recommend qualified sub-registrars for the consideration of Government.

(c) A scheme for the revision of the cadre of sub-registrars which would improve their prospects was sanctioned in 1918 by His Majesty's Secretary of State on the understanding that effect would not be given to it until the financial situation improves. Proposals for introducing it are under consideration."

By the Hon'ble Babu Akhil Chandra Datta:—

43.

(a) Is it a fact that the minimum pay of ministerial officers in all departments is Rs. 30 the only exception being in the Registration Department in which the minimum pay is Rs. 15?

Minimum pay of ministerial officers in the Registration Department.

(b) Will the Government be pleased to consider the desirability of enhancing the minimum pay of the ministerial officers of the Registration Department so as to bring it on a level with other departments?

Answer by the Hon'ble Mr. McAlpin:—

"(a) The minimum pay of ministerial officers in judicial and revenue offices is Rs. 30 a month in Eastern Bengal Districts and Rs. 25 a month in Western Bengal Districts, while the minimum pay of a clerk in the Registration Department is Rs. 20 a month and that of a Muharrir Rs. 15.

(b) A revision of the pay of ministerial officers in the Registration Department has been sanctioned by His Majesty's Secretary of State; and it has been decided to give partial effect to the scheme with effect from the 1st March, 1919."

LIST OF BUSINESS—ITEM No. 3.

The Hon'ble Mr. Kerr laid on the table a statement of the result of the inquiry into the case of the arrest of one Shaju Khatun promised in his reply to question No. 16(2) (unstarred) asked at the Council meeting of the 3rd April, 1919.

STATEMENT REFERRED TO IN ITEM No. 3 OF THE LIST OF BUSINESS FOR THE MEETING OF COUNCIL ON THE 3RD SEPTEMBER, 1919.

With reference to paragraph (2) of the reply to question No. 16 (unstarred) put by the Hon'ble Babu Akhil Chandra Datta at the Council

Questions and Answers.

meeting held on the 3rd April, 1919, the result of the inquiry is laid on the table.

One Kajim Mashalchi of Baburchar, husband of Shaju Khatun, the woman in question, was suspected of complicity in a cloth-looting case of Sadarpur police-station in the district of Faridpur. On the 8th February, the circle inspector, who was investigating the case, received information that the woman had left her home on the previous day for her father's house at Maheshwardi, taking with her some new clothes. In so doing she had, of her own accord walked a distance of ten miles, which is not without relevance to the facts detailed below. He caused the house at Maheshwardi to be searched on the morning of the 9th February. During the search, four new *dhoties* were found for which the woman was unable to account. She was then arrested with her children and sent by a sub-inspector to the police-station at Bhanga, some five miles off, in charge of an escort, while the sub-inspector proceeded to search another house. There were blood-stains on the woman's clothes at the time of her arrest, but the sub-inspector made no inquiries about them. On her way to the police-station, the woman began to bleed and was given a piece of cloth by the head constable in charge of the escort to hide the blood-stains. On arrival at the police-station, the head constable gave her soap, with which she washed her clothes. The woman was detained for the night with her children in the lock-up at the police-station. Next morning, the inspector offered to release the children on bail, but nobody was willing to stand surety for them. The inspector then gave orders that the woman and her children should be taken to Talma in a boat and from Talma to Faridpur in a carriage or a bullock cart. The party arrived at Talma about midnight, and as no carriage or bullock cart was available, they proceeded on foot to Faridpur, about ten miles off, reaching that place on the morning of the 11th. On her admission to the jail, the woman complained that she had been assaulted by the police, but the sub-assistant surgeon of the jail who examined her found no marks of violence on her person. That night at 11 P.M. she gave birth to a still-born child, the body being in a decomposed condition. From the state of the body, the sub-assistant surgeon was of opinion that the death must have taken place three or four days before the delivery.

The subdivisional officer, who made a careful inquiry into the matter, found that the woman's allegation that she had been assaulted by the police was unfounded, but that in her condition she was subjected to undue bodily exertion, though in view of the medical evidence, the death of the infant had probably taken place before her arrest. There is some corroboration for this view in the fact that blood-stains were found on the woman's clothes at the time of her arrest. It has also been found that the head constable in charge of the escort made every possible attempt to secure a means of conveyance for the woman from Talma to Faridpur. He also tried unsuccessfully to procure accommodation for her at Talma for the night.

The responsibility for this unfortunate occurrence must be laid on the inspector and sub-inspector. The former states that he did not notice the blood-stains on the woman's clothes, while the latter says that he attributed them to menstrual flow. Both of them, however, questioned the woman while she was in custody, and should have taken steps to satisfy themselves as to her real condition and her fitness to travel to Faridpur. There is no suggestion that they were actuated by any improper motive. Their callousness seems to have been due to sheer lack of care and want of thought. It is, however, this callous exercise of authority which brings the police force into disrepute, and in order to mark his sense of the gravity of their offence, the Governor in Council has directed that the sub-inspector should be removed from the charge of a police-station and degraded for eighteen months. The inspector, whose responsibility was less direct, has been degraded for a year.

The Calcutta and Suburban Police (Amendment) Bill, 1919.

LEGISLATIVE BUSINESS.

LIST OF BUSINESS—ITEM No. 4.

**THE CALCUTTA AND SUBURBAN POLICE
(AMENDMENT) BILL, 1919.**

The Hon'ble Sir Henry Wheeler presented the Report of the Select Committee on the Calcutta and Suburban Police (Amendment) Bill, 1919, and moved that the said Report be taken into consideration.

He said :—

"On the occasion of the introduction of the Bill I dealt at some length with the considerations affecting it, and it is not surprising, in connection with a small measure of this kind, that there is little more to be said on this occasion. The Select Committee met, and again went over the arguments which had been touched upon in Council, relevant to the Bill, and as will be seen from their report, they decided to recommend that the Bill be passed as introduced. One of our members, the Hon'ble Rai Radha Charan Pal Bahadur, has annexed to the report what is described as a note of dissent, but which, I think the Council will agree, is rather in the nature of a few comments and suggestions which may be very briefly met.

After referring to certain provisions of other Acts, he says that he does not desire to raise any objection to clause 2, but only to suggest that any order which affects the public, and not the force only, should receive the sanction of Government. With reference to that I would again point out that the section of the Act which we are amending—as before, I refer to the principal Act, namely, the Calcutta Police Act—is section 9, which does not refer to orders affecting the public but only to orders affecting the force, and therefore the contingency which he apprehends will not arise.

His second comment is that he thinks it should be clearly provided that nothing should be done to restrict the free movement of a suspended officer in obtaining redress. I mentioned that point when the Bill was introduced, and stated that, compatibly with the general direction that they should stop at Lalbazar, facilities were already given to men under suspension to get into contact with any outside legal advisers whom they might wish to consult.

So much for the report of the Select Committee.

It may be remembered that we at one time thought of taking up this Bill at Dacca, but we agreed to keep it over for the present meeting in order to give full opportunity for public opinion, if it desired to do so, to express itself. As regards that we have only received one letter from the Indian Association, and again, I think, the Council will agree that if the objections contained in that letter are all that can be put up by way of criticism, then the Bill is not open to very grave exception.

Apart from that, to the best of my belief, there was only one newspaper which contained a series of some three articles dealing with the Bill, with which, I am given to understand, a gentleman interested in the recent litigation was not altogether unconnected. It may, therefore, fairly be said, as a general statement, that the inhabitants of Calcutta have decided after seeing the Bill, that they can sleep safely in their beds undisturbed by the fears and apprehensions which were voiced in some quarters when the Bill was introduced."

The motion was put and agreed to.

The Calcutta and Suburban Police (Amendment) Bill, 1919; Resolutions.

Sir H. Wheeler; Rai M. C. Mitra Bahadur.

SUPPLEMENTARY LIST OF BUSINESS—ITEM No. 4A.

The Hon'ble Babu Akhil Chandra Datta was to have moved that in the last line of clause 2 of the Calcutta and Suburban Police (Amendment) Bill, 1919, for the word "control" the word "sanction" be substituted.

The Hon'ble Member being absent the amendment was not moved and was deemed to be withdrawn.

LIST OF BUSINESS—ITEM No. 5.

The Hon'ble Sir Henry Wheeler also moved that the Bill, as settled in Council, be passed.

He said :—

"I will only say a word to further reassure Hon'ble Members as to the propriety of substituting the word 'control' for the word 'approbation'. I did not mention the fact on the first occasion, and had intended to do so in connection with the amendment of which notice was given. Since, however, that has not been moved it may interest Hon'ble Members to know that our amendment is merely following what already is to be found in the corresponding sections of the Madras and Bombay City Police Acts."

The motion was put and agreed to.

RESOLUTIONS

(Under the rules for the discussion of matters of general public interest).

LIST OF BUSINESS—ITEMS Nos. 6 and 7.

The Hon'ble Rai Mahendra Chandra Mitra Bahadur moved the following resolution :—

This Council recommends to the Governor in Council that immediate arrangements be made by Government for opening additional sections of classes in all Government colleges in Bengal, for the accommodation of those successful students who have been refused admission into colleges for want of accommodation.

He said :—

"My Lord, there is a complaint all over Bengal for the non-admission of a very large number of qualified students into colleges who have successfully passed the Matriculation, the I. A. and I. Sc. examinations of the Calcutta University. They knock at the door of the colleges and they are told that the allotted seats are filled up. Disappointed students are unable to understand the real reason why they are deprived of the inestimable benefits of University education. Their guardians also feel the greatest difficulty. My Lord, in a province consisting of 45 millions of people, the percentage of literate people is very small, and I consider that it is the sacred duty of the enlightened Government to provide facilities for higher education. The schools in Bengal are sending every year thousands and thousands of successful students to the gates of the University. My Lord, if the colleges under existing arrangements cannot provide sufficient accommodation, some effective steps ought to be

*Resolutions.**The President ; Babu S. N. Ray.*

taken at once for the benefit of the students and thus relieve the anxiety of their guardians. My Lord, I sent notice long ago of a question which I intended to ask at the last sitting of the Council to get accurate statistics as to the number of successful students who have been refused admission into colleges for want of accommodation, but the reply to this has been postponed. On a previous occasion I moved Your Excellency's Council regarding the admission of students into the Medical College, Calcutta. I do not feel inclined to-day to dwell upon this important matter. It is not very expensive to open sections of classes in Government colleges for the further accommodation of students. The amount of profit to Government from the collegiate schools of the Presidency College, I mean the Hare and Hindu schools, is more than Rs. 60,000 during the last six years from 1912-13 to 1917-18, but it is a matter of great regret that a large number of successful students of these collegiate schools have been refused admission into the Presidency College. It will take a long time to give effect to the recommendations of the Calcutta University Commission. But the students must not sit idle and waste their valuable time. Financial consideration is a great question with Government, but at the same time, my Lord, let me be frank. I consider that it is the paramount duty of the civilized Government to educate the sons of those who live under their protective wings. With these remarks I commend this resolution for the acceptance by Your Excellency's Council."

The President said :—

"The next resolution on the agenda paper raises substantially the same point as is raised by the resolution now under consideration, and it will be convenient, therefore, if a single discussion takes place now. I shall then put the two resolutions separately from the Chair."

The Hon'ble Babu Surendra Nath Ray then moved the following resolution :—

This Council recommends to the Governor in Council that a committee be appointed to inquire into the difficulties of students in securing admission to colleges and other educational institutions in Bengal, and to recommend suitable measures for providing adequate facilities for their studies.

He said :—

"My Lord, it was said by a great Judge, Sir Barnes Peacock, years ago that the difficulties of a decree-holder begin when he gets a decree. It may be said with equal truth that the difficulties of a student begin when he passes the Matriculation examination or the I. Sc. examination and tries to get himself admitted in one of the colleges, to continue his studies, either in Arts or medicine or engineering. In these days it is easier to pass an University examination than to get admission in a college. I know very well that there are difficulties in the way of admission on account of the large number of boys who pass the Matriculation or the I. Sc. or the I. A. examination, to make room for them all, but I am afraid there has not been any serious attempt to grapple with the situation either on the part of Government or on the part of the college authorities. Let us hope that when the Dacca University will become a reality before the beginning of the next official year, its authorities will endeavour to get over these difficulties in the colleges under their control, and that it will be for the benefit of students of Eastern Bengal desiring to continue their studies in colleges. But I have very great doubts as to whether the opening of a new University will be able to cope sufficiently with the present situation. At the present time there may be some difficulty in making arrangements in those colleges where the tuition leads to a degree in Arts or Law for admission to the I. Sc. or B. Sc. classes, as, besides college lectures, arrangements

*Resolutions.**Babu S. N. Ray.*

have to be made for laboratory work. But as regards pure Arts classes, I mean the I.A. and B.A. classes, arrangements may be made by simply opening new classes and appointing new lecturers or Professors. The initiation in this direction may be taken by Government at once by opening new sections for Arts students as suggested in the resolution of my Hon'ble friend, Rai Mahendra Chandra Mitra Bahadur. I think, so far as Government colleges are concerned, students should be admitted to the maximum capacity of the classes as sanctioned by the University; besides, additional sections should be opened in the various classes, to make room for some of the boys who are now turned away. But the policy adopted is the very reverse of what it ought to be. I would cite only one instance: In answer to certain questions at the last Council meeting we were told that the maximum number of students admitted in the 1st-year class of the Dacca College during the time of Mr. Archbold was 233. This was in 1917, but in the years 1918 and 1919 the numbers admitted were 196 and 191, respectively. We are, however, told that 1917 was an exceptional year. Again, we find that the maximum number of students in the 1st-year class has been fixed at 180, 100 reading for the Intermediate examination in Arts and 80 reading for the Intermediate examination in Science. The reasons given for this reduction are, however, not at all convincing. One would have expected that in these days when the number of boys passing the Matriculation examination has been increasing year after year arrangements would be made to admit larger number of boys in the College Department, but what has been done? The number of students who will get admission has been reduced from 233 in 1917 to 180.

In this country, besides Law, Medicine and Engineering, there is no other useful career open to our young men as they have in Europe or America. The number of seats open in the two Medical colleges in Calcutta or the Sibpur Engineering College, are limited. The struggle for existence has been great. It is, therefore, necessary that something must be done at least to give our young men a proper training to qualify themselves for the different professions, whether it be Arts or Medicine or Engineering. Government might very well say that it does not look well that we should be dependant for everything upon Government help. But the fact is that our people without Governmental aid are helpless, and in my opinion when the Government finds that the parents of Indian boys desire that their sons should be adequately educated the Government ought to be proud of the fact and afford every encouragement and facility, both to the parents and to their aspiring sons.

We should like to know if there is any truth in the report that the Principal of the Presidency College issued a notice to the following effect the other day:—

'Applicants for admission who seek personal interviews do so at their own risk. Those who take up my time by unnecessary interviews will have the fact noted against them on their application.'

I am sure we are all anxious to understand the purport and meaning of such a notice, and why it should be noted against a young seeker of information from the Principal as if he had committed a serious offence. So much for the Arts students. Now I shall say a few words about the students who want to enter the Medical colleges: There was at the last Council meeting a resolution asking Your Lordship's Government for the appointment of a committee of officials and non-officials to inquire into the methods followed by the authorities in the matter of selection of candidates for admission into the Calcutta Medical College at the beginning of the current session. After hearing Sir Henry Wheeler on the resolution I thought I would not be justified in taking up unnecessarily the time of this Council in

*Resolutions.**Babu Siv Narayan Mukharji.*

discussing about the admission of students to the Calcutta Medical College. But, unfortunately, we are bound to state, for the enlightenment of Government, that various are the rumours that we have been hearing for the last five or six years as regards the methods adopted by students and the ways, by the adoption of which alone, students could get themselves admitted in the Calcutta Medical College. It may be that the rumours are exaggerated, that they are even unfounded and quite incorrect. Boys, they say, have been driven not only from pillar to post and from post to pillar trying to obtain admission, but we all remember how a candidate for admission into the Calcutta Medical College died by knocking his head against a tram line post while getting down at Kidderpore to go to the house of a clerk of the Medical College in order to secure his good offices to get an admission. I was told the other day by a well-known medical man of Calcutta, himself a Professor in a Medical College, that the claims of boys who had taken up such subjects as Physiology, Chemistry and Botany in the Arts examination, with the main object of getting themselves admitted in the Calcutta Medical College, were passed over, with the result that their study of these subjects should be practically useless. We fully appreciate the views of the Hon'ble Sir Henry Wheeler that some discretion ought to be left to the Principal of the College in the matter of admission, but, I think, it is the duty of Government when complaints are openly and systematically made, at least to ascertain how far the complaints are justifiable by facts. I was told that of nearly 2,500 candidates for admission in the Medical colleges and the Medical School in Calcutta only about 400 could get admission, the rest were practically thrown on the streets. People naturally look up to Government for providing greater facilities to the students who wish to enter the Medical colleges and school.

With reference to the admission of boys to the Sibpur Engineering College, I think the rules as to age debar a large number of them from getting themselves admitted. It is for the Governing Body of the institution to modify the rules and admit as many boys as practicable.

That the Government can, if they so desire, do a great deal with reference to the admission of boys admits of no doubt. It is only the other day that the Hon'ble the Maharajadhiraja Bahadur of Burdwan, after personal inspection of the Dacca School of Engineering, made arrangements for the admission of 20 more boys to that school and has ordered the appointment of two more teachers. A little sympathy with the needs and requirements of the student class would go a great way to solve the problem of admission of boys to the different colleges of Bengal. Whether there is scope for admission of more boys in the different colleges at the present time, and if not, what steps it will be necessary to take in order to admit more boys, is one, I think, which a committee will be able to formulate."

The Hon'ble Babu Siv Narayan Mukharji said :—

"My Lord, any one passing by the many colleges in Calcutta or in the mufassil during the first fortnight after the publication of the results of the Matriculation and the I.A. and I. Sc. examinations must have noticed the knots of anxious-looking students, who, like so many "disconsolate angels at the gates of Paradise", have, during the last few years, unsuccessfully clamoured for admission. There would have been nothing to evoke our sympathy or excite our feeling if these flotsams of the University had, like so many jetsams, been washed ashore and, after being for a while the playthings of the winds and the waves, succeeded at last in reaching the goal. The alarming increase in the number of students in colleges and schools, the absence of even so much as elbow-room in the college classes, and, what is worst of all, the laying of an embargo, in Government colleges, on the admission of students other than those of transcendent merit, are causes that have

*Resolutions.**Babu Siv Narayan Mukharji.*

operated, in late years, to render the lot of ordinary students uncommonly hard. I am connected in some way or other with the management of a number of schools and a second class college, and I have personal experience of the difficulty encountered alike by the Matriculates and the Intermediates in securing admission, not only to the several Arts colleges, but to the Medical and the Engineering colleges, as well. I have been a witness to the lamentable way in which students, burning with a desire to continue their academic career, after being driven from pillar to post, had to give up their life's sole endeavour—their quest of the Holy Grail—and pass into the silent life of the humble scribe. Jealously upholding its prestige as the premier college in Bengal, the authorities of the Presidency College take especial care to admit only students whose names figure on the front page of the pass-list and who may exhibit potential qualities capable of taking them through the next ordeal with flying colours. The other colleges, aided and unaided, besides being few in number, are handicapped by the University Regulations in the matter of admissions.

Five hundred and eighty-six is the approximate number of high schools in Bengal. These schools sent forth over 10,000 matriculates last time to be accommodated in 34 Arts colleges, first and second grade, and 2 or 3 Medical and an equal number of Engineering schools. Deducting about 20 per cent, or one-fifth of the total number, on account of those that did not proceed further, and making allowance for the 500 or so who took up medicine or engineering, each of the Arts colleges was required to make provision for admitting on an average 237 matriculates in the 1st-year classes. Similarly, each of the 34 first-grade colleges was required to provide for over 200 I.A.'s and I.Sc.'s in the 3rd-year classes. It has, however, been computed that about 5,000 students have this year been left out in the cold quite unprovided for. Are we not, under the circumstances, justified in saying that in the matter of admissions the colleges have miserably failed to rise to the height of the occasion, and have rendered a miserable account of themselves as educational institutions? 'Many were called, few chosen'—these are the words that involuntarily start to our lips as we endeavour to find the cause of the present educational discontent. And yet, in the face of so much heart-burning caused by the names of nearly half the number of successful under-graduates being placed in the Index Expurgatorium for no other fault than that they failed to score exceptionally high marks in the lottery of University examinations, the University has laid another embargo on education by raising examination fees. Is this not a case, my Lord, in Lord Churchill's memorable language, of 'the forest lamenting that Mr. Gladstone may perspire'? And is it not, I ask, time the authorities should look the situation squarely in the face? Not the authorities alone, but the worthy citizens as well of this no mean city should contrive to open wide the portals of University education by founding more colleges and widening the avenues leading to the temple of learning. The University ought to remember that as hosts it has a duty to perform towards its guests, the young hopefuls, already bidden to its boards, and hungering and thirsting after intellectual food and drink. It ought also to remember that in shutting the doors of its banqueting halls on them it but transgresses the rules of hospitality and starves the minds of the rising generation. Ample provisions are being made at the expense of these unfortunate students for the post-graduate classes, and it was only the other day that this Council passed the Primary Education Bill. We are, therefore, going to provide for the foundation, on the one hand, and the topmost storey, on the other, while the main body of the structure is going to be allowed to take care of itself. Is it not time, my Lord, I again respectfully ask, that the long arm of Your Excellency's Government should intervene and afford relief to the many thousands of disconsolate young men who are every year denied admission to

*Resolutions.**Maulvi Abul Kasem.*

the many Arts colleges in this province? And I pause for an encouraging reply.

In common with every humble father of a family, I feel no hesitation in supporting a resolution which echoes the feelings of the entire province."

The Hon'ble Maulvi Abul Kasem said :—

"My Lord, I fully share the anxiety and the concern felt by my educated countrymen as to the difficulties with which our students are confronted when they find their names in the list of successful candidates either at the Matriculation or I.A. examination. Some of them are fortunate and lucky to get themselves admitted in the colleges, but a large number, at any rate a very considerable number, of those boys find themselves in actual difficulties by not getting accommodation in the colleges. To prove this fact figures are not at all necessary. The number of successful candidates at one of these examinations and the number of seats available in all the colleges put together will show that the colleges cannot accommodate all these students. This is a serious difficulty and must be solved, and solved without any further delay. But I am afraid I cannot join my friends in asking either for the opening of additional classes or for the appointment of a committee to inquire into the matter. In the first place the opening of additional classes in our colleges will only postpone the difficulties to a later date. The boys will no doubt get admission in the colleges, but after they pass their B.A. or B.Sc. examination they will find themselves again in the same position as they found themselves when they passed their Matriculation. I do not think the appointment of a committee will serve any useful purpose, as past experience has shown that this will lead to considerable delay and will cause not a little expense to the State. The results of their deliberations are considered by Government and then Government decide on their report. In this case, I think the Government, with the expert opinion they have at their command, can very easily come to a conclusion without the formation of a committee.

I would, my Lord, suggest a solution for the consideration of Your Excellency's Government. Some time back in this Council a resolution was moved by my Hon'ble friend Mr. P. C. Mitter—in fact it was an amendment to my resolution which was accepted by Your Excellency's Government—for the opening of technical and industrial schools all over the province. If we can afford to have them, and we can do so with very little expense, the opening of additional classes will practically mean the opening of new colleges. If we can afford to have industrial and technical colleges all over the province, the congestion will certainly be relieved, and it will also serve a very useful purpose as it will materially improve the economic situation. There has also been another suggestion made for the opening of Medical schools, and if these two projects be taken in hand, I think much of the difficulty will be removed. We have been told that we have to look to Government for all our educational needs. Although we have to depend upon Government to a great extent it cannot be said that my countrymen have failed to lend their services and to exert themselves for the advancement of education. A large number of private colleges and endowed colleges have been established and are being run in this province. Government have to afford relief first and the people will follow suit, and if Government take up the work of starting Medical and Industrial schools, I am sure my countrymen will follow suit and supplement these institutions by private ones of their own, and this will greatly remove the difficulty which is felt by us at the present moment and at the same time open new avenues of employment for our boys and it will be better than leaving them as dissatisfied and unprovided graduates of the Calcutta University."

*Resolutions.**Mr. P. C. Mitter.***The Hon'ble Mr. P. C. Mitter** said :—

"My Lord, I desire to draw the attention of the Council to a very important aspect of the question—an aspect which although well known is often overlooked in practice though not in theory both by Government and the public. In theory, the public and Government agree that the policy of increasing mere literary education should not be pursued, but in practice this has always been otherwise. My Lord, in this connection a comparison with the state of collegiate education between Bengal and Great Britain seems to be very helpful. Our population is almost equal to that of Great Britain, but according to last year's figures we have about 26,000 collegiate students in Bengal. In Great Britain last year the number of such students was 16,000—and this decrease was perhaps due to the war—but in normal times the number was equal to the Bengal number. In Bengal we have mere literary education with hardly any opening for any scientific education, and the scientific education which we have is merely confined to the theoretical side of science; whereas in Great Britain we have two dozen technical institutions and more than 20 medical institutions, and with regard to agriculture, which is not very important for Great Britain, they have about eight agricultural colleges. Then as regards mere literary education, the avenues of employment open to the young graduates of Great Britain are immeasurably superior to those which are open to the graduates of Bengal. Now if Great Britain with all its wealth and all its opportunities is content with 26,000 undergraduates, it is really surprising that my countrymen should ask for more literary education. I am glad to find that in theory they do not demand it but in practice we find that it is constantly pressed before the Council that more literary colleges should be opened. During the last few years one literary college has been established at Rangpur and another at Faridpur, and I understand that attempts have been made to establish a literary college at Bakarganj, and my hon'ble friend Rai Radha Charan Pal Bahadur desires to press upon Your Excellency's Government to provide funds for the opening of another literary college. I sympathise with the desire for more education, but the object is to fit these young men for useful vocations of life. It will not do either for my countrymen or for Government to express a pious desire in not pursuing a policy of mere literary education, and for that reason principally I am sorry to say I have to oppose both the resolutions. But it will not do for Government merely to remain idle on this question. I am aware that there is the Report of the University Commission which has got to be considered. The University Commission raises large questions which require large sums of money, and in the meantime unless we take certain active steps which it is possible to take without spending large sums of money, matters will become very much worse when Government will be in a position—if it ever be in a position—to carry out actively all the recommendations of the University Commission. I say it will never be in a position because the recommendations involve such large questions that I am afraid Bengal will never be in a position to meet such large expenditure. My practical suggestion, therefore, my Lord, is that in the meantime and pending action taken on the University Commission's Report, we might make more openings, with fairly modest expenditure, by the establishment of more medical schools. In this connection I desire to state that Government last year agreed to open a new medical school at Burdwan, and we are all grateful for that, and it is possible to do more. It is also possible for Government to give more facilities for workshop training, and in that connection too the Government have already provided facilities for training 50 men in the workshop at Kanchrapara, and it is urgently necessary to do more. Then on the question of agricultural education, it is possible to do something on practical lines. I am sorry to say that in a province like Bengal we have no agricultural

Resolutions.

*Maharaja Bahadur of Burdwan; The President; Mr. P. C. Mitter;
Babu K. M. Chaudhuri.*

institutions, and at the same time I am conscious of the fact that agricultural education in provinces where such institutions exist have not been very successful in the sense that the graduates or students who pass out of agricultural institutions always find it difficult to get a vocation and they have to drift either to Government service or to other vocations of life. The principal reason is that these institutions have never taken note of the existing conditions of life in our country. Our country is a country containing a mass of illiterate cultivators. It is necessary to create a link between the agricultural experts of the Government Agricultural Department and the agricultural colleges, and this can only be effected by taking note of the existing conditions of life in Bengal. The whole of Bengal is parcelled out into a number of zemindaries and within these zemindaries we have zemindars' agents who exercise considerable influence. If we have some sort of institution where we can give adequate training to these men and at the same time assimilate the results of the agricultural college, I think the Agricultural Department will be able to do a lot with a minimum of expense. What can the Agricultural Department possibly do with one inspector for a district of 2,000 or 3,000 square miles or for the matter of that half a dozen?"

The Hon'ble Maharajadhiraja Bahadur of Burdwan said :—

"May I rise to a point of order? We are now discussing the question of the admission of students into colleges and not the question of medical or agricultural education."

The President said :—

"On that point the Hon'ble Member is perfectly entitled to put forward alternative suggestions against this resolution which he thinks preferable, such as the increase of agricultural education and so on. But I would ask the Hon'ble Member not to travel too widely over that ground, though strictly speaking he is at present in order."

The Hon'ble Mr. P. C. Mitter said :—

"My Lord, my object was to explain matter so as to make my position more clear. I bow to Your Excellency's ruling and I will not pursue it too widely, but if the Hon'ble Member afterwards criticises my scheme as not practicable, I hope he will also remember the ruling of the chair."

My position is simply this that it will not do to wait indefinitely, and that it is urgently necessary that some active steps should be taken at once to provide for useful vocationary education."

The Hon'ble Babu Kisor Mohan Chaudhuri said :—

"My Lord, I think there is unanimity of opinion that arrangements should be made for more educational institutions. A large number of students are coming out successful every year in the Matriculation examination, but adequate arrangements have not been made for their accommodation either in the colleges or elsewhere. There is no doubt that it is very desirable that additional arrangements should be made for agricultural, technical and industrial education, for literary education is not enough. When this is done, the younger generation will find outlets for their energy. But because we have to wait for that that is no reason why we should stop the progress of education in the general line. We are grateful to Your Excellency for your sympathetic pronouncement made the other day at Dacca that at an

*Resolutions.**Maulvi Fazl-ul-Haq.*

early date additional arrangements would be made for the spread of medical education. There are demands for such an education, and there is need for the employment of such educated persons. It is only for Government to make additional accommodation for that education, either in the higher or lower standard. That will afford a good opening for a large number of persons, but there is one thing to be remembered even also having that in view, which is this : It is now admitted that the Matriculation standard is not up to the mark and the recommendation of the University Commission is that the I.A. or I. Sc. should be the final stage of secondary education. It is for this reason, I think, that the opening of additional classes, wherever necessary, would go a great way in helping the cause of education—medical, industrial, or agricultural. Until proper arrangements are made for the opening of agricultural colleges or schools in different centres or for industrial education at least the ground-work should be made more suitable in the existing colleges for general education to the acquisition of such technical knowledge in the future. The opening of additional classes for the I. A. or I.Sc. is not a difficult question, and, I think, Government will not have to spend too much for the purpose. An additional class for 100 students can be managed by two professors. The uniform rate of fees now is Rs. 6 a month. If two additional classes are opened for the I.A. and I.Sc., I believe three or four professors will do, and in each class there will be an income of Rs. 600, which will not only go towards the pay of the additional professors, but will also pay for hiring houses for the accommodation of students and for other needs. There might be some difficulty about hostel accommodation, but that can be arranged by hired houses. So far however as additional classes are concerned additional building accommodation might be necessary, but for that also, I think, that if arrangements be made for the holding of these additional classes, either in the morning or in the evening, the difficulty may be obviated to a certain extent. At any rate it is urgently necessary that some arrangements should be made. My Hon'ble friend Maulvi Abul Kasem thinks that if we make additional accommodation and turn out more students, we will be faced with the difficulty of providing employment for them, but the progress of education is necessary, and if for that purpose additional necessities arise, the solution is there. Mere literary education is not enough and other arrangements should be made for technical instruction. Simply because we are not in a position to provide employment for the growing numbers, that cannot be any reason why the progress of education should be stopped. Whether a committee would be of any use or not, it is for the Government to consider, but at any rate, I beg to submit, additional arrangements should be made for the progress of education which ought not to be hindered or stopped for any reason whatsoever."

The Hon'ble Maulvi Fazl-ul-Haq said :—

"My Lord, I would not have ventured to take part in this debate, had it not been for the fact that two of my friends, the Hon'ble Maulvi Abul Kasem and the Hon'ble Mr. P. C. Mitter have thought it fit to oppose this resolution. My friend the Hon'ble Mr. P. C. Mitter opposed this resolution with considerable warmth and vehemence, but that is perhaps my friend's usual style, and I do not think that his opposition is as keen as it apparently appears to be. My Hon'ble friend Maulvi Abul Kasem in opposing this resolution has, for the moment, forgotten the special needs and requirements of the Muhammadan community. I rise to support this resolution not merely for the sake of emphasizing the fact that the difficulties in the way of students getting admission into schools and colleges constitute a real grievance, but that these difficulties are particularly acute in the case of Muhammadan students. This year, immediately after the Matriculation results were out, I circulated a notice to the various colleges in Calcutta asking such Muhammadans as failed

*Resolutions.**Maulvi Fazl-ul-Haq.*

to get admission into the colleges to communicate with me. My object was to find out by way of a rough estimate the number of Muhammadan students who failed to secure admission in the colleges. I found from the number of students who came to see me that no less than 162 or 172—I forget the exact number, but it was considerably over 150—who communicated to me the fact that in spite of their most earnest endeavours they had not been successful in getting admission into any of the colleges in Calcutta. One can guess from this the number of Muhammadan boy students who have failed to get admission, and from that an idea can be gained of the number of students who have to give up their studies for want of accommodation in existing colleges. The question, therefore, arises, and it is an admitted fact, that the present accommodation in colleges happens to be insufficient—whether the failure of the students in getting admission into colleges is to be considered a curse or a blessing.

Two of my Hon'ble friends who have opposed this resolution have in a manner indicated that they look upon this fact as a blessing to the country, and that for a country like India where the people refuse to take to technical education or to any kind of education other than mere literary education, it is something of a God-send that the doors of colleges are shut upon the students; that if not from inclination at least from necessity, our countrymen will be driven to qualify themselves not as mere B.A.'s or M.A.'s but as experts in craftsmanship if they take up careers other than those which are open to men who have received a mere literary education. I admit that there is some force in these arguments and something to be said for the view that has been put forward, but I ask my Hon'ble friends whether, before any student takes to technical education, it is not necessary that he should receive a certain amount of general literary education in order to enable him to take advantage of the education imparted in technical institutions in this country. My Lord, Mr. Mitter has told us that there are 26,000 under-graduates in England—about the same number that there are at the present moment in Bengal—and he asks us to consider whether it is proper that we should ask for more colleges when the people of the United Kingdom do not, in spite of the fact that the number of under-graduates there practically equals the number of under-graduates in this country. I am not prepared to discuss the statistics with my friend, Mr. Mitter, nor do I think I am called upon to consider whether in looking at the figures he has not made any mistake, but I take the figures as he has quoted them; but I would ask him to consider that although the number may be 26,000, or rather more, those of the students in that country who go to technical institutions are really equipped with a much larger amount of literary knowledge than most of the under-graduates in this country. What I mean, my Lord, is this: that although a man in the United Kingdom may not have been able to enter any of the colleges, still he possesses, for reasons I need not discuss, a fund of general knowledge which enables him to follow the education given in technical institutions better than any student in this country. We all know the scant education which matriculates in this country get, and unless a student has attained a standard which we call the I.A. standard he cannot be called fit to enter the medical profession or go to any of the technical institutions that at present exist in this country. The point I would like to emphasize is this: that before we can insist upon technical education, if technical institutions are started all over the country, some amount of literary education should also be given to the pupils and that the present system of shutting out a large number of students should be stopped. As regards the Muhammadan students I would remind the Hon'ble Maulvi Abul Kasem that he also joined me in my prayer to Your Excellency's Government for another Muhammadan Arts College in Calcutta; my friend corrects me by saying he has always supported my prayer for one more Muhammadan Arts College in Calcutta. Well, let it be one more.

*Resolutions.**Mr. Dunn.*

Muhammadan Arts College, that is to say, to find an outlet for about 300 or 400 students. If we were justified in asking Government to let us have a college for 300 or 400 students, how does my friend justify his attitude in opposing these two resolutions which are of a general character and which will bring relief not only to Hindu students but also to Muhammadan students. On behalf of the students of my community, as well as in the wider interest of the student community in general, I beg to accord my hearty support to this resolution."

The Hon'ble Mr. Dunn said :—

"My Lord, the first of these resolutions asks that additional sections should be opened in Government colleges in order to provide for those matriculates who have not been able to get admission into colleges in Bengal. The second resolution asks that a committee of inquiry should be appointed to examine the general question of the admission of successful matriculates into colleges. The first two speakers will not, I hope, expect me to deal with all the details which they have raised in their remarks. The other speakers have raised large and important issues which I cannot possibly deal with at this stage, but I would like now to refer the Hon'ble Mr. P. C. Mitter to the proceedings of the last Council meeting at Dacca in which the establishment of an agricultural institution was stated to be under the consideration of Government.

So far as the two resolutions are concerned there is the underlying assumption that there is no adequate provision in colleges in Bengal for the number of boys who leave high schools and are successful in the Matriculation examination. That is the underlying assumption, and the first resolution asks that we should proceed to open additional classes in Government colleges, in order to meet what is a general demand. Now, if the very sombre picture which the first two speakers have painted is an accurate one, it would be obviously impossible to meet the large general demand by opening additional sections in the classes in the comparatively small number of Government institutions. But what are the facts for the whole of Bengal? The specific question which has been raised by various speakers deals with certain areas and with certain localities. We must look at this problem as a whole and the facts are as follows :—

In the year 1918 the number of boys who passed the Matriculation examination successfully was 7,758. I find that at the end of the academic year 1918-19, that is, after a period during which successful matriculates are admitted into colleges, the number of 1st-year students in colleges, Government and private, was no less than 6,108, and the number reading in certain special institutions was no less than 830, giving a total of 6,938. It is a simple calculation, resulting in the astonishing fact that no less than 90 per cent. of our successful matriculates are accommodated in some form of a collegiate institution or other. If it is necessary to give these figures for the I.A. and I. Sc. students, I wish to state that the number of those boys who passed their Intermediate examination was 3,658 and the number of students who joined the 3rd-year class after that examination was 2,396, again giving a percentage of 90 per cent. of the boys who are actually accommodated in institutions. Now, these figures appear to be very convincing, and, I think, they are convincing. But what about Government institutions? I take it the first two speakers have this specially in their mind. The facts for these institutions are as follows : in Government colleges there were 1,814 applications for admission ; of that number no less than 1,617 were admitted. I speak now of matriculates and I would like to point out to the gentlemen who have spoken in favour of these two resolutions that there are at present in the Krishnagar College no less than 48 vacancies in the 1st-year. Those

*Resolution.**Sir D. P. Sarbadhikari.*

rejected were 797. From the percentages which I have given it would appear that the majority of those boys have found accommodation in other colleges. I do not regard it as at all serious that not more than 10 per cent. among all these boys did not desire to prosecute their studies as many of them seek employment immediately after leaving school. It is perfectly obvious that there must be competition for places in the best colleges of Bengal. That competition exists in Europe, to which frequent references have been made by various speakers. Boys whose parents desire their admission in public schools have their names entered before they leave preparatory schools and the necessity of early application does not end there. It will be impossible for the Government of Bengal to provide such college accommodation as would meet all classes of application. But, as I have already pointed out, from the general figures, those boys who do not get admission into Government colleges are able to get admission elsewhere. If we are to proceed to open additional sections in classes in Government institutions to meet what is called an immediate demand it would involve the Education Department in large building operations and in the addition of an extra staff and the demand would be one increasing as a recurring series from year to year. I would like, however, to refer to what is perhaps at the root of these complaints. It is unquestionably the case that boys who wish to secure admission into colleges have to leave their homes and in many cases go to alien districts amongst alien people. That difficulty it is very hard to see how to overcome, but I would refer to the Calcutta University Commission's Report in which there is foreshadowed a system whereby intermediate instruction will be provided nearer the homes of boys in districts of Bengal. More than that I need not say at this stage.

In conclusion, Sir, I do not consider that it is practical or even necessary that we should attempt to open special classes in Government high schools at this time, nor do I think it is advisable to have a committee to inquire into this matter. The Calcutta University Commission's Report will give rise to as many committees as the energy of the Education Department will be able to undertake and it is certain that these questions will be further examined in the process of that inquiry. For these reasons I do not see my way to support either of these resolutions."

The Hon'ble Sir Deba Prasad Sarbadhikari said :—

"My Lord, after the Hon'ble Mr. Dunn's presentation of the figures very little will be necessary by way of opposition to the resolution, but as representing the University I feel I ought to claim, and I claim emphatically, that the University has never been unmindful of the necessities of the situation. In a manner it is as well that these resolutions have been moved and the complaints answered, but one fails to understand how a resolution like this, and in this Council, could sufficiently meet the situation, if there is anything to be done. It is not a question of Government colleges alone—a large number of our colleges are private institutions and, therefore, nothing that Your Excellency's Government might do by way of appointing a committee or otherwise would touch the situation. I am exceedingly glad that the figures for last year have been collected and placed before the Council. What the University had been uniformly doing, when I was in charge of it, and I think is doing still, is to prepare a weekly statement during the season of admission of students and to communicate with different colleges asking them for statements of vacancies in the different subjects in which they are affiliated. From these statements an abstract is prepared and placed on the notice board outside the Senate House indicating where vacancies and in what subjects were available. I agree with Mr. Dunn, and

*Resolutions.**Rai M. C. Mitra Bahadur.*

nobody can fail to agree with him, that we cannot expect to have a college for teaching every subject for which a student has a particular fancy. The difficulty will probably pass away when the new order of things comes into existence, but the difficulty so far has been that students do not always choose subjects according to their capability, but according to their fancy. That is one difficulty, and the other difficulty which is not generally known but which, I think, must frankly and definitely be stated, is that our students sometimes apply to as many as three colleges for admission at once, the Presidency College being, of course, the favourite. I can understand their trend of mind for entering the Presidency College as it was my own college. After the Presidency College they would apply to the Scottish Churches College as a second string and probably to the Ripon or Metropolitan or Bangabasi College as a third string. Well, that probably accounts for the residuum which Mr. Dunn has not been able to account for, leaving alone the medical institutions which absorb a considerable proportion of our matriculates. The University does all it can to accommodate those who have matriculated, and from that point of view the arrangement described above was undertaken and we could always tell students where a vacancy was. But this is a matter which no one can control. That being made quite clear, I do not think that the University can be blamed in the way the Hon'ble Babu Siv Narayan Mukharji attempted to do, because it has never been unmindful of the situation. I will not speak of the fees and the post-graduate studies now. Calcutta is fairly full of them, but I may say that unless we have a good strong post-graduate class neither primary nor secondary education can be improved, for you require a large number of teachers who must be trained in the post-graduate and also in training colleges which Your Excellency's Government are providing. As regards the question of fees, there again the matter seems delicate and unnecessary to this Council at the present time. But I would ask Members carefully to consider, before altogether condemning the scheme, the other side of the question too. I do not wish, however, to be drawn into the discussion whether it is advisable to have 26,000 graduates here as in Great Britain as the Hon'ble Mr. P. C. Mitter has pointed out. The Hon'ble Mr. Fazl-ul-Haq has also pointed out that without some general education our boys cannot be given any particular technical education, agricultural, commercial, medical, etc., but I do not wish to enter into that controversy here. It is, of course, well known that English young men do not generally think of a University career in the way that our boys do here."

The Hon'ble Rai Mahendra Chandra Mitra Bahadur said :—

"My Lord, when I put this resolution before the Council I was labouring under the impression that the resolution will meet with the approval of the Government. I find that my resolution has touched on points which are not relevant to the question at issue. I have brought to the notice of the Council that in Government colleges a large number of successful students are not admitted and, therefore, some sort of accommodation ought to be given to them. I find that a discussion has been made as regards encouragement of education in industrial and agricultural schools. I have submitted already in my speech that these are large questions and if there would have been agricultural and industrial schools in existence at this time probably I would not have come to the Council with a resolution like this. We have got the recommendations of the Calcutta University Commissioners and we look to the day when their recommendations will be accepted by this Government and the Supreme Government, with modification but how is the difficulty to be solved at the present moment? If there had been agricultural institutions these students might have been admitted into them, so, with regard to

*Resolutions.**Babu S. N. Ray.*

industrial institutions, if they were in existence students would have been admitted into them. But granted that there are no industrial schools or agricultural schools, should not facilities be given to the students to get admission into Government colleges? That is a question which the Hon'ble Members would have to consider. As a matter of fact, it cannot be denied that these students do not get admission in Government colleges and my proposition before the Council is that they ought to get admission. Suppose there is a Government college in a distant station and suppose 80 boys are refused admission in that college, are we to be told by Government that they must find accommodation elsewhere, in Calcutta and in private colleges? It is for the Hon'ble Members of the Council to consider the difficulty in which students are placed. I do not like to discuss the question of the encouragement or discouragement of literary education or the encouragement or discouragement of industrial or agricultural education. I have nothing to do with that at present. I submit for the consideration of the Hon'ble Members that Government ought to give facilities to the students who have not been admitted into Government colleges and that it is the only point which I submit for discussion and consideration of the Members. My proposition is a very comprehensive one. I have taken into consideration the claims of the Muhammadan students, the claims of the Hindu students, and there is one united voice in the mufassal that these students ought to be accommodated in Government colleges. As I submitted to Your Excellency when moving the resolution that statistics have not been supplied to me when I put a question to the Council but whether the number is small or great, the question is whether the Government or the Educational authorities are in a position to incur expenditure for the benefit of these students? I am told by the Government Member in charge that no additional classes are to be opened in the Government colleges. What will these students do? Are they to run about in the street or are they to sit idle? That is a question which the Hon'ble Members will have to consider. The difficulties are very great: I speak on behalf of the mufassal students in this Council. I dwell upon the result of inquiries that great difficulties are felt by them. My Lord, I do not think it necessary further to discuss the question in the Council. I know very well that the Hon'ble Members—both official and non-official—will consider the practical difficulties in which these students are placed. My Lord, I have nothing more to say. I hope that the Hon'ble Members will kindly consider the resolution which I have put forward before them deliberately and advisedly.

The Hon'ble Babu Surendra Nath Ray said :—

“ My Lord, after hearing Mr. Dunn that about 90 per cent. of the matriculates get admission in the 1st-year class of the colleges, whether private or Government, and that about 90 per cent. of the boys who pass the Intermediate examination in Arts get admission in the B.A. classes, I do not think it proper to take up unnecessarily Your Excellency's time. But there is one fact which I ought to mention and which has been represented to me by my Hon'ble friend Maulvi Aman Ali, and it is known to Your Excellency personally, and it is this: He collected certain figures when Your Lordship had been to Chittagong and he represented to Your Lordship that about 20 Hindu boys and about 60 Muhammadan boys could not get admission in the Chittagong College. That shows the necessity of opening additional sections in the Chittagong College, because, so far as I am aware, boys from other districts will not go to Chittagong for their education, and it is the Chittagong boys who have not got sufficient accommodation in the college of their own division. If proper inquiry be made it will be found that this is the case in all the divisions, that there is need for giving greater facilities to students to get

*Resolutions.**Rai R. C. Pal Bahadur.*

admission in Colleges. But after hearing Mr. Dunn I do not think it proper to press my resolution.

Motion No. 6 was then put and lost.

Motion No. 7 was then, by leave of the President, withdrawn.

LIST OF BUSINESS—ITEM No. 8.

The Hon'ble Rai Radha Charan Pal Bahadur moved the following resolution :—

This Council recommends to the Governor in Council that out of the educational grants provided in the current year's Budget, a sum of Rs. 50,000 be granted to the promoters of the proposed Howrah College for the purpose of building the college.

He said :—

"I am grateful to Your Excellency for permitting me to move this resolution.

We have had a long and very interesting debate on the question of accommodation in Government colleges and its extension in different colleges. This resolution, I am sure, whatever has been the fate of the other resolutions, stands on a different footing. Here, a number of gentlemen have started the idea of establishing an intermediate college which may fitly be described as a high school, according to the standard laid down in the University Commission's report, in the district of Howrah. My Lord, they have collected a certain sum of money, and they have also got the approbation of the University of Calcutta. What they want is a decent house. I believe Government are helping them in the matter by asking the educational officers to assist them in finding a suitable house. I do not know whether they have been able to find one yet, but all that is required is money, and the modest request I make is that Rs. 50,000 be granted to them to supplement their resources for a college building. My Lord, I do not think that my Hon'ble friend, Mr. P. C. Mitter, who casually referred to my resolution, will think that my resolution in any way affects the general question whether education should be diverted in other directions, namely, agricultural and industrial. But unfortunately no practical step has yet been taken in that direction, although I am glad to hear from the Hon'ble Mr. Dunn that the matter is now under the consideration of Government so far as the establishment of an agricultural institution is concerned. My Lord, this college will teach up to the I. A. standard of the Calcutta University, and I believe it is admitted by everyone present that for the purpose of giving a fair general education, the I. A. standard is possibly the minimum standard that can be insisted upon. The student who seeks admission in the Calcutta Medical College or in the Sibpur Engineering College must pass the I. A. standard or the I. Sc. standard of the Calcutta University, and therefore, I think, it will be admitted that it is not an institution intended merely to manufacture B. A's and M. A's of the Calcutta University. It is an institution which is intended to impart a general education to the boys of the district of Howrah. Howrah is a very big area, it is a very big place, and is a matter of surprise that it has not got a single college of its own. The people are trying to get a college and what they want is a little help from Government. I hope that this help will not be denied to them.

As regards the sum of Rs. 50,000, I find in the Budget no less than Rs. 97 lakhs is budgetted for expenditure under "Education". My Lord, I am sure

*Resolutions.**Mr. P. C. Mitter ; Mr. Goode.*

if Your Excellency's Government be pleased to make this grant, this money can be found from the savings of the items which are included in the Budget. In fact, I find that there is an item of Rs. 12 lakhs, and I am sure the whole of the money will not be spent this year. There will be considerable savings and Rs. 50,000 is such an insignificant amount compared with Rs. 97 lakhs, that I feel sure Your Excellency's Government will be able to spare that sum. I do not wish to take up the time of the Council by making further observations on the subject. It is merely an appeal for a little dole on behalf of the people of Howrah, and I hope Your Excellency will see your way to accept this resolution."

The Hon'ble Mr. P. C. Mitter said:—

"My Lord, the general aspect of the question has been fully discussed, but my hon'ble friend Rai Radha Charan Pal Bahadur feels that his resolution does not touch so much the general aspect of the question of literary education as against non-literary education. There is one point which apparently he has overlooked. If you take away a certain sum of money and apply the same to the promotion of literary education then to that extent the promotion of non-literary education will be made difficult. Bengal can afford a certain sum of money for education generally. Well, if you commit yourself to a policy of extension of literary education, it means that at present if Government make a grant of Rs. 50,000 and the people subscribe a further sum of money, then between Government and the people more money will be spent for years to come, and to that extent if the Government and the people should combine in the future for the extension of non-literary education that money will not be available. I would ask my hon'ble friend Rai Radha Charan Pal Bahadur to consider this aspect of the question, and may I just throw out a suggestion for whatever it is worth to my hon'ble friend and the people of Howrah? I understand that they have raised a certain amount of money. Last year the objection to having a medical school at Howrah was the congestion of student population there. Well, if you are going to have another literary college there it will mean more congestion. Can they not now divert the money to a more useful purpose?

One word more, my Lord, and I am done. It seems, as the general aspect of the question has some bearing on the point, that I have been considerably misunderstood. My plea was never a plea for retarding education. I would want education to advance, but you cannot advance education in spite of what the Hon'ble Sir Deba Prasad Sarbadhikari has said, if you confine the activities to one individual aspect of the educational problem, and the reason why I quoted figures for Great Britain was this: that in Great Britain where there are so many openings, the total figure was only 26,000, and here in Bengal we have the same figure with only one opening, namely, the literary line. I also agree with Sir Deba Prasad that the day is not very distant when we will be able to provide these 26,000 students with suitable vocations of life, but that end can never be achieved unless we make our educational activities more elastic."

The Hon'ble Mr. Goode said:—

"My Lord, in replying to the motion of the Hon'ble Member I do not propose to criticize his resolution upon its merits, but I wish to suggest that it is not practicable to deal with his proposal in this Council. It will be desirable very briefly to recapitulate the history of the proceedings which led to this resolution.

The Rai Bahadur has stated that a committee of Howrah gentlemen recently moved the University of Calcutta for permission to found a second

*Resolutions.**Raja Hrishikesh Laha.*

have come out belong to a noble race and they have since adapted themselves to the new situation with great credit to themselves. My Lord, I hope there will be no such feeling with regard to this matter. In the Trust itself we had Mr. Finnimore, an Engineer, as a Chairman for about 8 months and no one will dispute that he performed the administrative part of the work quite efficiently and to the satisfaction of both the Government and the Trust. Let us take the railways. This important department is administered by officers who are not members of the Civil Service. The Education Department also is administered by a member of the Educational Service. In the Police even, although there have been civilian heads in the past, the department is now run by a member of the Police Service. The Commissioner of Police who is at the head of a vast organization is not a member of the Civil Service. So I think that the capacity to administer affairs efficiently is not confined to the members of the Civil Service alone. In England, in Canada, and even in Bombay, they have got an expert town-planner at the head of such affairs and they do not belong to the Civil Service. I am only trying to show by citing these facts that it is not essential for the proper administration of the Trust that a member of the Civil Service should be appointed. I am not against the members of the Civil Service at all; they might have been necessary at the beginning, but the time has now come when an expert should be appointed at the head of the Trust.

There is another advantage in appointing an expert. He may come more into touch with the members of the Board and his views may go to the Local Government direct and in an undiluted form. If such a man is appointed there will be economy also in the establishment. We are now paying Rs. 4,000 a month to the Chairman, Rs. 3,500 to the Chief Valuer and Rs. 2,500 to the Chief Engineer, but if at least two of these posts are amalgamated there will be a considerable saving in the expenditure. In the Port Trust, although we have an honorary Chairman, the whole administration is conducted by a technical officer who is called the Vice-Chairman. So, if there is a nominal official Chairman and an expert town-planner as his deputy I shall be quite content, but I cannot urge it having regard to the existing provisions of the law. I have just mentioned the Port Trust system only to strengthen my argument and to show that a big organization can be run by a man who is not a member of the Civil Service. My Lord, I do not want to say anything further on the subject, but I earnestly hope that this will be considered, and even if a member of the Civil Service is to be appointed in Mr. Bompas's place I pray that he may not be a Land Acquisition Collector of the Trust as is rumoured. Public confidence will at once be shaken in that case and I hope that such an arrangement will not be made."

The Hon'ble Raja Hrishikesh Laha said :—

"My Lord, I am sorry I cannot support the resolution moved by my Hon'ble friend, Rai Radha Charan Pal Bahadur. His proposal is to appoint an expert in town-planning to fill up the Chair of the Calcutta Improvement Trust to be rendered vacant by the retirement of the present Chairman. In my opinion he has taken a very narrow view of the duties which the Chairman is called upon to perform. His duties are multifarious, and above all he must possess administrative capacity of a high order with financial experience in order to guide, direct and instruct his subordinates, so that the work may go on smoothly without any waste of public money. He has also to see that no money is squandered away in useless or unnecessary schemes, and that there is no lack of check or discipline among his subordinate officers. An expert in town-planning may have some of the above qualifications, but he will be, as a rule, very deficient in finance, and in these troublesome times it

*Resolutions.**Sir R. N. Mukharji.*

would be dangerous to appoint a man who is devoid of experience, both in administrative and financial works. If what is stated by Raymond Unwins in his 'Town Planning in Practice' be correct that 'for the roads in a town to satisfy their primary function of highways, they must be so designed as to provide generally for easy access from any point in the town to any other', the present Chairman, though not a town-planner, has, with the advice of his expert subordinates, done remarkably well, and though he has favoured the southern quarter of the city more than the northern, nobody can deny that Bhowanipore has been greatly improved, and the roads that have been opened are real works of public utility. If the Chairman has a difficult problem to solve in regard to any scheme, he can very well engage the services of a town-planner for a time just as the Calcutta Corporation did in the case of the Burrabazar scheme.

From the Annual Report of the Calcutta Improvement Trust for the year 1917-18, it will be seen that there are schemes for thirty proposed public streets awaiting execution, which will probably take about 10 years to complete, so that the present Chairman, by his foresight and prudence, has anticipated the requirements of the town and left very little for a town-planner to do. In fact, his occupation is gone. If my friend says that Burrabazar is not yet improved, I should say that a Sub-Committee is considering the matter and they have the opinion of Mr. Geddes for their guidance. Of course, there are the further reclamation of slums and the building of houses for the poor *Bhadralog* and working classes, which could very well be done by the Chief Engineer of the Trust in consultation with the City Architect of the Calcutta Corporation, and I have no doubt that the housing problem which is inseparably connected with good roads and means of locomotion, would be solved by them without much difficulty and without the help of any other expert. We must remember that the Chairman's responsibility is very great, and that responsibility cannot be satisfactorily discharged by his simply being an expert in town-planning. For these reasons, I oppose this resolution."

The Hon'ble Sir Rajendra Nath Mookerjee said :—

"My Lord, I beg to oppose the motion. I will only say a few words giving my reasons why I am doing so. Only a few days ago my Hon'ble friend moved a resolution of a similar nature at a meeting of the Improvement Trust; he failed to get a supporter there and in the opinion of the full Board of the Trust a town-planning expert was not thought to be a proper person to be appointed as the head of the Trust. The resolution is very clearly worded, but I am sorry to say that after his vehement speech against the Hon'ble Mr. P. C. Mitter, the Hon'ble Mover got confused and forgot the main issue. He first said that the Port Trust Vice-Chairman was a technical man. That is not so. He was a member of the Port Trust and he should have known it. Then he said that the post of the Chief Engineer and the Chairman of the Trust may be combined. Generally a town-planner is not an engineer. The work of an Engineer in the Trust is of a very difficult nature which cannot be done by a town-planner with his elementary knowledge of engineering. Again, he said that Mr. Shroobree trained a number of Indians and he expressed his admiration for him for doing so. If the work can be done by the men trained by Mr. Shroobree then it is obvious that a town-planner is not now necessary. He also said that a town-planner is now more necessary than at the commencement of the work as at the beginning of the work the department had to be organized and, therefore, a civilian was necessary. But I think that if a town-planner was at all necessary it was necessary at the earlier stage. Your Excellency's Government are aware that almost all the important schemes were framed and Government sanction obtained, but the work could not be fully carried on owing to the difficulty of getting materials

*Resolutions.**Rai D. C. Ghose Bahadur.*

during war time. The work has now progressed far, and in connection with the few remaining important roads the Collector is busily engaged in the acquisition of lands. Therefore, it is evident that it is not at this stage we want a town-planner.

The work of the Chairman of the Trust, as the Hon'ble Raja Hrishikesh Laha has pointed out is of a multifarious nature. He has not only to preside over meetings, attend sub-committee meetings, land committee meetings in which co-opted members are often taken and where conflicting interests are decided, but he has to see that the money of the Trust is not kept idle and that the work of the Trust does not suffer for want of funds. He has also to keep a vigilant eye on the work of Revenue collection and he has to supervise the outdoor work and inspect in the morning three times a week. All this shows that the Chairman of the Improvement Trust should be a man of great tact and of wide Indian administrative experience. I admit that at the earlier stages of the work a town-planner would have been a most valuable adjunct but at this stage he is not necessary. The Hon'ble mover has said that he has considerable experience of the Trust as he has been associated with it from the very beginning. But there are others too who can claim the same experience, and in their opinion this is not the proper time to appoint a town planner at the head of the Trust. I am also constrained to say that experts generally lack business and administrative qualifications. They are more or less faddists but they can do their part of the work very well. All these facts will not justify us to ask Government to appoint a town-planner. Long before the Hon'ble mover sent notice of his resolution there was a rumour that Government was going to get a town-planner from England for the Trust and I believe my Hon'ble friend got his inspiration from that rumour for moving this resolution. I venture to think, however, that Government would be making a mistake if at this stage they bring out a town-planner to carry on the onerous duties of the Chairman of the Trust. If an elderly man from England has to do the outdoor inspection work three times a week during hot summer months he will break down completely in a very short time, and the efficient machinery of the Trust will also suffer in consequence. I, therefore, oppose the motion."

The Hon'ble Rai Debender Chunder Ghose Bahadur said :—

"My Lord, after what has fallen from the Hon'ble Raja Hrishikesh Laha and Sir Rajendra Nath Mookerjee, for me to say something on this matter would be slaying the slain. I am opposed to the motion of the Hon'ble Rai Radha Charan Pal Bahadur. Three gentlemen out of the eleven who play the game of the Trust have had their say. I am only an outsider who only watches the game and for that reason I am entitled to say something in this matter. I quite understand that this appointment of the Chairman of the Trust is not to be reserved for the Civil Service under the statute and that because a member of the Civil Service has filled that office for some 6 or 7 years, therefore, his successor should not be one of that Service; not necessarily so. In addition to the reasons given by two preceding speakers I should say that I have felt that in discharging the duties of the office of the Chairman of the Improvement Trust that gentleman has to do certain judicial duties, not that he has to pass judgment under the Civil Procedure Code or the Criminal Procedure Code, but he has to apply a judicial mind and decide matters in which, of course, he can express his opinion this way or that way. If he makes any mistake it becomes a grievous wrong to the party affected. Therefore, I am of opinion that a person who is trained as a town-planner is not always the best person to fill such a post. A town-planner might have had his use in the early part of the operations of the Trust or before the actual work of the Trust commenced, and as it has been said a town-planner may be requisitioned occasionally as it was done in the matter

*Resolutions.**Maharajadhiraja Bahadur of Burdwan.*

of the Barabazar scheme. Therefore, there are many things in which a gentleman who is not trained in administrative business and who is not familiar with the lives and conditions of the people would be unsuited for such an office. I do not mean to say that the Civil Service is a perfect service, they also have their limitations; they also have to learn, but they know how to learn and always generally with a view to singleness of purpose and that is for the good of the people. If you get out a town-planner as has been suggested by my friend the Hon'ble Rai Radha Charan Pal from Europe, it is just possible that he might be an adventurer, and I would not trust the affairs of this city as regards its improvement in his hands. Then, Sir, a suggestion has been made that whoever may be appointed, let it not be one of the Land Acquisition Collectors. I am sorry that my friend the Hon'ble Rai Radha Charan Pal permitted himself to make an observation of this kind. If it is to be understood that the only member of the Civil Service who is a Land Acquisition Collector,—the other being a member of the Subordinate Service,—is not a desirable person for such an office, I think I ought to say that I have heard from all accounts that that gentleman has a universally good reputation for his work and service from the time that he was at Faridpur, latterly when he was in the 24-Parganas and now that he is in the town of Calcutta, he has an eminently judicial mind, is anxious to do justice and is just the man for work of this kind. Something has been said as regards the professional engineering aspect of the Trust. I am sorry that I cannot speak very highly of the result of the engineering work of the Improvement Trust. I am entitled to say that because there has been lately a discussion on the way in which the drainage work of scheme No. 5, which covered part of Bhowanipore, and part of Ballygunge, has been done. There was an admission on the part of the Chairman of the Trust, a very tardy admission, that the work has been defective; they are sewage works, they have been defective in as much as they do not fit in with the scheme of drainage work of the Corporation of Calcutta, and not only are they not in accordance with that scheme, but it would require hand flushing for the purpose of removing the dirt and filth of that part of the town. Well, if this is the work of the engineers of the Improvement Trust, if they did not know their business, they might have asked for assistance from the Calcutta Corporation to help them in the matter of drainage works. And the Hon'ble Mr. Bompas must certainly share in the responsibility for this defective engineering work; after all, there might be some failures in certain proceedings. But, taken as a whole, I think he has shown sufficient energy, sufficient intelligent attention to the work to justify his appointment—at least it will not serve as a bar for any other member of the Civil Service to fill the post as his successor."

The Hon'ble the Maharajadhiraja Bahadur of Burdwan said :—

"My Lord, I must candidly confess that the discussion on this resolution has been most instructive to the Government for two reasons. In the first place it has brought out very clearly that the Hon'ble Mover of this resolution has met with the same fate here as he did when he moved a similar resolution in the Calcutta Improvement Trust, viz., that he has not had a single supporter to his idea. Secondly, it has been brought to the notice of Government that gentlemen who are on the Body of the Trust as well as outside it, like Rai Debender Chunder Ghose Bahadur do not consider that an expert or a man with technical knowledge, to use the Rai Bahadur Radha Charan Pal's phraseology, is essential for the post of the President of the Trust. I do not, of course, propose to argue or follow the arguments that have been brought forward by the Rai Bahadur about appointing to the Trust, men from other services than the Indian Civil Service. All that it is my business to say to-day is that in the first place, Government did very carefully consider when it was brought to the

*Resolutions.**Mr. Phelps; Rai R. C. Pal Bahadur.*

notice of the Government that Mr. Bompas was about to leave, as to whether or not the services of a town-planning expert with some administrative experience and knowledge of India could be procured, and I may inform the Council that it is true that this Government, with the assistance of the Secretary of State for India, had been trying to negotiate to get such a man to succeed Mr. Bompas. I regret, however, that the result of these negotiations has been to show that the services of such a person as the Government also had in view, could not at present be secured, but I must say that the views of the Government must, after the discussion in Council to-day, naturally undergo some considerable change, although I am not prepared to agree with Sir R. N. Mookherjee or Rai Debender Chunder Ghose Bahadur as to the futility of bringing in a man as Chairman of the Improvement Trust at the present stage, with a knowledge of town-planning. I quite admit that if we are unable to get such an expert with knowledge of India, and Calcutta particularly, and as things exist in the Calcutta Improvement Trust, we should certainly not make a plunge. I, therefore, am unable to accept the resolution on behalf of Government which has been moved by the Hon'ble Rai Radha Charan Pal Bahadur. As the matter is urgent, and as the Rai Bahadur has been trying to fish and find out who is going to succeed Mr. Bompas as to whether it would be some wretched Land Acquisition Collector an individual on whom the Rai Bahadur seems to be particularly down upon, I am to say Your Excellency has approved the appointment of the Hon'ble Mr. French to take up the appointment when Mr. Bompas goes on leave. I am sorry I am not able to accept the resolution."

The Hon'ble Mr. Phelps said :—

"My Lord, I am not connected with the Improvement Trust directly, but I am indirectly as a member of the Corporation, who has had a good deal to do with the various schemes. I do not wish to say much or advance more than one argument, but I would like to appeal to my friend the Hon'ble Mover to withdraw his motion because his constant complaint for years with regard to the Improvement Trust has been that it is a one-man show, alluding to Mr. Bompas, I suppose. Well, if he finds an administrator with a judicial mind brings about a one-man show in a Committee like that, what will be the result if they get the professional town-planner, an expert, who will thrust his opinions down everybody's throats. I appeal to my Hon'ble friend while there is time, to withdraw his motion else his position might be somewhat like that of Sinbad the Sailor. I think I remember the story, when I was a boy, of Sinbad the Sailor who got the old man of the sea on his back and could not get him off."

The Hon'ble Rai Radha Charan Pal Bahadur said :—

"My Lord, I have listened to the speech of my friend the Hon'ble Raja Hrishikesh Laha. His opposition to my motion is this, that large financial questions are involved and, therefore, a professional town-planner is not so necessary as one who is an expert in finance. My reply to that is this, my Lord, that in matters of finance, all questions are first of all considered by the Finance Committee and are generally settled by the Board on the materials that are placed before them, i.e., various schemes are prepared and the total cost estimated on the cost of each scheme. It is the Board that prepares the Budget according to the resources at their disposal every year, and I do not think that it can be said with any fairness that none but a member of the Indian Civil Service is capable of controlling the finance. In other places, large financial questions are involved, and I believe it is admitted that in these cases the work has been successfully carried on by

*Resolutions.**Sir R. C. Pal Bahadur.*

men who do not belong to that Service. I allude to the Railways, the Port Trust and other places.

Then, my Lord, Sir Rajendra Nath Mookerjee has said that in the Corporation I moved the same motion, and I was not supported there. He further said perhaps that is merely his guess, that I got inspiration from some one outside, that Government was taking certain steps to get a town-planning expert, and, therefore, that was just the time to rush this resolution in the Council. My Lord this is not a fact, and I most emphatically say so. Several of my Hon'ble friends will remember that some time ago when the Hon'ble Mr. Bompas was going on leave on a previous occasion and Mr. Woodhead was appointed I suggested that some expert should be appointed. This is a question which I expressly raised in the Board, but as there was not a permanent vacancy, I did not pursue the subject further. Further, we were told that there are meetings of the Lands Committee and of the Objection Committee, and, therefore, a man with a judicial frame of mind ought to preside. My Lord, I am not aware that because a member of the Civil Service has not got the Presidentship of the Committee or Sub-Committee, therefore the Committee will not exercise a judicial control. On the contrary, all the members of the Board are men who are chosen not from any particular service, whether from Provincial or Civil Service, but because they are men with some practical knowledge of the local needs and conditions and they decide according to their judgment. It has been said that at an early stage this was necessary, but at this stage this is not necessary, because lots of inspection work was required and a man coming from England would not be able to stand the climate and strain of inspection and all that. I do not know whether this is applicable to the office establishment which Sir Rajendra Nath Mookerjee has got under him. I have yet to learn that there is an institute to temper the metal, as it were, before Europeans are sent out to actual service in this country. On the contrary, the records of Government show that capable men who have come out from England have been able to stand the strain of inspection and outdoor work without any loss of efficiency, and I do not know why it should be thought that if the town-planner is imported, he would not be able to withstand the strain of the work. Then, it is stated, the town-planner would be a faddist. Anything can be said against the town-planner. I am not advocating any particular individual. If Sir Rajendra Nath Mookerjee terms that band of excellent men who are called town-planners and who are specially trained in that work in England, faddists, and says that they have no administrative capacity, that will materially change our opinion of English capacity and capability for work.

Then, as regards the opinion of the Hon'ble Rai Debender Chunder Ghose Bahadur, I may say this that he is quite entitled to say that he would much prefer that the affairs of the Trust should be administered by a member of the Civil Service than by any expert trained in that line. My Lord, everyone has his own opinion on this subject, but I am sure that if an opinion is taken of the public, it will be found that members would all much rather prefer an expert with thorough knowledge to have a direct hand in the Trust than to be served through a non-technical man. Grave difficulties have arisen. It is a fact, my Lord, that expert men are not in close touch with the Board. It is said that they can consult expert opinion whenever necessary as the Corporation have done in the matter of Burrabazar, taking the opinion of Professor Geddes. Well, my Lord, the Corporation is not a town-planning body, not a body specially created for the purpose of the improvement of the town. When a scheme was prepared by the Trust, the Corporation consulted Professor Geddes, but here every day, every 24 hours of their existence I may say, they would be working 23 hours on these schemes and, therefore, I think that my resolution is not quite unworthy of the consideration of Government. Government themselves realized the necessity of having an expert at the

*Resolutions.**Mr. Phelps.*

head of affairs of the Trust and it is a pity that a suitable man could not be found at present. In these circumstances I find it useless to press my motion, but I hope that Government will kindly bear this in mind and when an opportunity offers they will consider this question and appoint an expert to the post. I am sure the official and non-official Europeans will admit that if a suitable expert is found he should be placed at the head of the Trust. It will lead to economy and greater efficiency, and at the same time it would be a great advantage to have an expert man in direct touch with the Board and the public."

The motion was then, by leave of the President, withdrawn.

LIST OF BUSINESS—ITEM No. 10.

The **Hon'ble Mr. Phelps** moved the following resolution :—

This Council recommends to the Governor in Council that a Commission be appointed to inquire into the causes of the excessive land values and high rents in Calcutta and, if possible, to suggest remedies in connection with this matter, and to report with the least possible delay.

He said :—

"My Lord, there has been a great outcry in Calcutta for some years past against the excessive value and rapid advance in land values and house rents, and many attempts have been made to find a remedy. The Corporation has not been remiss in trying to find a remedy, but they have not been successful. About a year ago I myself moved for a Committee of inquiry, but confined my attention to house rents only. There had been some attempts before to consider land values and house rents, but my reason for confining my attention and the attention of the Corporation on that occasion was to simplify matters, because it was recognized that for the Corporation to embark on a campaign of consideration of land values, they would get beyond their depth. I therefore confined my attention to house rents only. I cited several instances out of many which had come to my notice where landlords have arbitrarily and at a month's notice raised the rents of their houses from 25, 50, 75 and 100 per cent. and even more, alleging that the property had been reassessed, and that the price of building materials has risen. That the prices of building materials and labour had risen no one can deny, but it remains a matter for consideration to what extent the rise of building materials would justify the doubling of the rent of houses which were erected before the war disturbed current prices.

Regarding the other contention, the Corporation had re-assessed the property, I took the trouble to ascertain the truth of this statement in the first five cases which came to my notice and I found that although it was perfectly true that re-assessment had taken place no enhancement in either of these cases had occurred. I reminded the Commissioners that the Municipal Act authorizes a re-assessment in different wards once in six years and that it had been the practice among unscrupulous landlords—I do not mean landlords in general simply unscrupulous landlords—to take advantage of the fact that a new assessment had taken place and then to squeeze the tenant for more rent knowing full well that until the next re-assessment came round, the Corporation were powerless to re-assess, even, although the assessor might be quite well aware that the tenant was being charged 25 per cent. or 100 per cent. more than the assessment. In Bombay the Corporation may re-assess after 12 months according to their Act, but it is not so in Calcutta, unless there has been some reconstruction. I pointed out that in this way not only was the tenant being unmercifully

*Resolutions.**Mr. Phelps.*

squeezed but the Corporation were being deprived of their revenue in a shameless manner, and thus the general rate-payers were defrauded. My efforts met with no success. I was reminded by the cynical that I was addressing an assembly of landlords and that even if the Committee of Enquiry was appointed, we could do nothing but make an appeal to Government; but it seemed to me that it was the business of the Corporation to consider these arguments and appeal to Government for powers of re-assessment in certain cases and perhaps to establish a Court of Appeal. These were the two points which I wished particularly to draw attention to as suitable for action by the Corporation and within their limits. But the most astonishing objection was, in my opinion, that the matter of rents was entirely and very properly subject to the law of supply and demand. The Commissioners professed their inability to see the difference in principle between the purchase of a pair of boots and the renting of a house. The law of supply and demand became a fetish, a law which might sometimes act cruelly but must nevertheless be grovelled to with helpless adoration. But the same people voted for the control of the 'common necessities of life' such as coal, oil, ghee, rice and cotton piece-goods. These were the common necessities of life, and action was taken to prevent certain traders from profiteering. I ask, my Lord, is not a house, a flat, a dwelling-place of some sort, a common necessity of life? My attention, my Lord, was first directed to this subject by complaints received from people whose rents had been raised from something like Rs. 200 to Rs. 300; I mean middle class people, but since it became known that I was going to move this resolution in this Council, I have had numerous touching appeals from poor people.

One of these I received this morning from numerous persons who occupy single rooms which they pay a rent of Rs. 8 per month. It was rumoured that the landlord was going to charge Rs. 12 per month, but last Sunday the landlord's agent came round and gave them formal notice that the rent in future would be Rs. 16. Some of these poor people are actually in receipt of relief from the District Charitable Society.

I am advised that in England the 'Rent Act' of 1915, the 'Courts Emergency Powers Act of 1917', and the 'Increase of Rent (Amendment) Act of 1918' are all designed to protect tenants from unscrupulous landlords. In India, the Bombay Government at the request of the Corporation did something also by way of standardizing rents, and even, following the English example, afforded retrospective relief.

My own efforts on this occasion were confined to the matter of abnormally high rents and the epidemic of unreasonableness developed by a few landlords. I am sorry to say that this epidemic has since spread very rapidly and become very virulent. Others have, however, taken a wider view and criticisms have been levelled at Government for keeping the city so long in suspense with the delay in starting the Grand Trunk Canal Scheme and for the retention of splendid building sites even now lying vacant; also at the Calcutta Improvement Trust for its so-called 'grasping policy' and defective method of rehousing the people displaced by its improvements. The Corporation has been blamed for its zeal in making new assessments, and speculators for the spirit of unholy speculation in land and house property. It is even hinted that His Majesty's Mint stands in the way of improvement as regards utilization of building sites and the Calcutta Port Trust is criticized for a misuse of the Strand Bank lands.

All these criticisms point to the urgent necessity for a commission of enquiry in order that the work of public bodies may be co-ordinated. The Port Facilities Committees did good work, but its mandate was circumscribed and new circumstances have since arisen. It is not for me to suggest remedies at this stage but acknowledging my defeat in the Corporation it was my

*Resolutions.**Rai D. C. Ghosh Bahadur ; Maulvi Abul Kasem.*

intention to pursue the subject by moving amendments to the new Municipal Bill in this Council had it not been withdrawn. As an alternative I feel now constrained to move for a Commission of Enquiry in the interests of the general public. The matter is so serious that it seems to me that independent or separate action by the Improvement Trust, the Corporation and the Government is likely to end in disappointment.

- I fully recognize that rents and land values must of necessity be high in a prosperous city. Any mismanagement of either the Port Trust or the Corporation or the Improvement Trust which resulted in an unhealthy and disorganized city would soon bring down land values and house rents with a run, but I submit that if the work of these public bodies were co-ordinated, fuller and more economical use might be made of the land in Calcutta and its environs and do away with some of the congestion and over-lapping of energy and perhaps diminish wild speculation. I have been very moderate in my statements and I have not only not exaggerated but I know that everything that I have said is true. I hope that this moderate request of mine will commend itself to Your Lordship's Government."

The Hon'ble Rai Debender Chunder Ghose Bahadur said :—

"My Lord, I join with the Hon'ble Mr. Phelps in the prayer that a commission be appointed to inquire into the condition of house rents in Calcutta, and if possible, to suggest remedies in connection with this matter. I find, Sir, that of late there has been a large increase in the value of land and house property and consequently in these days of high prices people feel this very acutely, and if we may judge of the state of affairs, amongst the poorer classes of the Anglo-Indian community, as reflected in the Calcutta newspapers, there is a sincere demand for an inquiry of the sort which the Hon'ble Mr. Phelps has asked for. If it be a fact, and we are assured by the Hon'ble Mover that it is, that in London there have been legislative measures since 1915 to regulate the relations of landlord and tenant in the matter of rent, and if Bombay and Rangoon have taken some steps in that direction, then I think it would be a proper policy to make an inquiry as suggested by the Hon'ble Mr. Phelps. True, it goes in the direction of asking for a legislative measure which will meddle with the contractual relations of landlords with their tenants. In this country, before the introduction of British rule, rents used to be regulated by custom, and contract only found a place after the introduction of Western ideas in this land. So that, if you find that things are really very hard and landlords are extortionate you should certainly make an effort to improve the relations now existing between a certain class of landlords and a certain class of tenants. With these words I beg to support the resolution."

The Hon'ble Maulvi Abul Kasem said :—

"My Lord, in the Council to-day there has been a good deal of difference of opinion on the resolutions that have been moved this morning, but I hope and trust that with reference to this resolution there will be a unanimity of opinion on this side of the House. The rise in rents of houses in Calcutta is very acutely felt by all sections of the community. If our European fellow citizens find it a matter of complaint and find difficulties in paying these high rents, how much more must the members of my community—I mean the Indian middle class community—be feeling it. The Europeans can live two or three families in one house, but Indian families have to live separately and therefore they find it more difficult to secure houses in Calcutta, and as a consequence a large number of middle class people have either to give up their vocation or employment or have to pay a very high rent which leave them very little margin from their income for other necessities of life

*Resolutions.**Babu S. N. Ray.*

The situation has indeed become very grave. It may be said that the question is one of supply and demand. So is the question of labour. But the state has interfered in disputes between capital and labour. We have also recently urged on Government to prevent the rise in the price of the necessaries of life. If that can be prevented, why not the rise in the rents of houses. Accommodation is as much a necessity as rice and cloth. The resolution will, I trust, receive the support of the non-official members of the Council and I hope will also receive sympathetic consideration at the hands of Your Excellency's Government."

The Hon'ble Babu Surendra Nath Ray said :—

"My Lord, I have much pleasure to support this resolution. The landlords of Calcutta have been maligned in season and out of season and that probably without any rhyme or reason for a long time past. This Committee, if appointed, will give an opportunity to the landlords to show that they are not as bad a lot as they are represented to be, and that most of them even with Government loans yielding about 6 per cent., would be content with 5 per cent. dividend and that they seldom get more than 6 per cent.

I do not want to anticipate the conclusions of the proposed committee. But I think the operations of the Calcutta Improvement Trust are largely responsible for displacing a large number of residents from the Indian quarter of the town. These people do not know where to go and they are obliged to remain crammed within the city and pay high rent. With reference to the European quarter of the town I think rent has increased because there has been a large influx of Europeans in the town of late and that there is not proper and suitable accommodation for them all. To this must be added a large number of Japanese who have come to Calcutta within the last 3 or 4 years and have occupied a large number of houses in Loudon Street and Ballygunge at an exorbitant rent. We must also take note of the ever-increasing development of Calcutta as a commercial and industrial centre and that Calcutta proper has not great scope for expansion. Again, people who come from the mufassal to earn a living gradually make Calcutta their permanent place of residence, because there are not such facilities to come from the mufassal to Calcutta, such as cheap trams or railways as they have in Bombay. There is also another fact to be taken into consideration. Calcutta, in spite of its epidemic diseases and its congestion, is a sanitarium and mufassal people do not like to go back to their native home to become the victims of malaria there. In fact those who become accustomed to live in Calcutta are unwilling to remain outside Calcutta.

I should mention another important fact in this connection. It is well known within the last 5 years the prices of building materials have gone up 50 per cent. Who is to pay for this? It is those for whom houses will be built or houses have been built. The occupiers of houses are therefore obliged to pay 50 per cent. more rent over the rent of houses in normal times. It is also a well known fact that the price of land has gone up very high. People have now more money than they had before. Competition for purchasing lands has been very great, and people have been purchasing lands specially from the Improvement Trust at extraordinarily high prices. And these purchasers want proper return for the money they lay out. The result is that eventually the actual occupiers of houses have to pay in the shape of high rent. For these reasons, as much in the interest of the much maligned landlords as in the interest of the tenants, I welcome this resolution."

*Resolutions.**Maharajadhiraja Bahadur of Burdwan.***The Hon'ble the Maharajadhiraja Bahadur of Burdwan** said :—

"My Lord, in replying to the Hon'ble Mr. Phelps I desire to invite the attention of the Council to certain factors in the housing problem in Calcutta to which he has not, I think, given sufficient prominence and which has to a certain extent been brought out by subsequent speakers. No one will question the great difficulties of the present situation in Calcutta. We all know that rents have risen to an unprecedented height and, though I myself belong to the property-owning class, to the unreasonable demands of some of whom these excessive rents are attributed, I can assure the Hon'ble Mover that I sympathize with him in his concern for the tenants. The causes, however, which have produced the present scarcity of house accommodation and consequently what he describes as an excessive enhancement of rent, are deep-seated and to some extent world-wide, and I am not sure that the commission which he desires can be expected to provide for any immediate remedy for the evil. I do not think the Hon'ble Member in his interesting speech attached sufficient importance to the economic factors which underlie the whole problem. Certain of these factors undoubtedly lie in their very origin, but mainly as I have suggested, they are general and universal in their nature. I need make no more than a passing reference to the remarks the Hon'ble Babu Surendra Nath Ray has made to the enormous rise in the cost of building material and labour. The Hon'ble Mover is well aware that the present price of building material is higher than what it was 3 or 4 years ago; it is even prohibitive, and that even now the landlord who is faced with a big bill for repairs finds it difficult to contemplate it with philosophic resignation. But it is not only material and labour which cost more but we are in the midst of the biggest land boom Calcutta has ever seen and prices are being raised every day which before the war would have seemed impossibly extravagant. I need not point out to this Council that to some class in India and not less in Bengal war has brought unexampled prosperity. The Marwaris who used to prefer more fluid investments have invaded the land market and every week one hears of big transactions in house property. I could cite instances, but I shall refrain from doing so. The future may show that these prices were excessive. Some reaction, therefore, there must be to this extravagant speculation in land, but even if the boom is followed by a depression it is obvious that the new owners of house properties must attempt to obtain some fair interest on their outlay and the rise in rents can be explained by economic factors which I am afraid no commission can control. There are other factors to which I may make some brief reference. In the northern part of Calcutta the operations of the Improvement Trust have to some extent aggravated the housing problem. No sufficient provision has been made as yet for rehousing *Bhadrologs* who have been dispossessed. The remedy lies in the speedy extension of the operations of the Trust to the suburban areas. I am told that to some extent the Trust have had to wait for the provision of the main system of drainage for certain suburban areas which is a function of the Corporation. However that may be, Government is convinced that the immediate need is for the Trust to develop the insanitary suburban areas and provide accommodation in advance for those whom the street schemes may affect. In the southern part of Calcutta—the European quarter—I may remind the Hon'ble Member that building operations have been checked during the war while the new industrial movement in India is responsible for some growth in the European population. I have referred to this side of the problem because, I think, it has not received sufficient attention from the Hon'ble Member in his speech. I do not think he has established the existence of profiteering, but in cases such as this, it is, I conceive, where profiteering becomes a general and flagrant abuse, that State control in the economic sphere can be most easily justified. Mr. Phelps has cited English legislation

*Resolution.**Mr. Phelps.*

as a precedent, but in doing so he has omitted to mention that it was designed to protect the working classes and the lower middle classes. It applies to London only and to houses rented at £35 before the war and in Scotland to houses rented at £30. I understand that when the legislation was before the House of Commons Mr. Bonar Law in meeting the opposition to this measure lay special stress on the limited operations of the Act, but as the Hon'ble Member desires also to protect what may be termed the well-to-do class, the Bombay Act has, of course, some value as a precedent. I have not yet received any detailed information as to its operation and I cannot say how far the conditions in Bombay are parallel with those in Calcutta, but I have just had a telegram from the Bombay Government which states that their Rent Restrictions Act has worked well for small premises and has appreciably restricted though not stopped the rise in rent of larger premises. If control has been of value in Bombay I admit that there is a good case for investigation into the conditions in Calcutta with a view to determine whether control is likely to help matters and to remove the evils which we all deplore. In the remarks I have made I have referred to certain factors which lead me to doubt whether a commission, however strong, can offer a solution to the admitted evil on which the Hon'ble Mover has dilated, but at the same time Government recognize that a carefully selected Commission may be expected to throw light on the whole economic question. Their investigation will show if profiteering is rife and the Commissioners may be able to suggest remedies which Government can adopt. I may therefore without any further delay inform the Council that the Government have decided to accept the Hon'ble Member's resolution.

The Hon'ble Mr. Phelps said:—

"I thank the Hon'ble Member in charge for his sympathetic speech, but I may also emphatically assure him that I have not overlooked the fact that he has brought to my notice. I studied the subject very carefully and I am quite aware of the difficulties he has raised, though I was afraid that the Hon'ble Member was going to say that the difficulties might be explained away. I am very glad he did not do so because I think it is extremely important to co-ordinate the work of the different authorities. The Corporation is not in full accord with the Improvement Trust, who in their turn are not in full accord with the Port Trust and sometimes with Government. But I think a strong committee which will take expert evidence on this subject would be able to formulate some general proposal which would eventually lead to a better state of things. I cannot sit down without uttering a warning. There was a few years ago a big land boom in Australia and I learnt from my Hon'ble friend Mr. Lang that it was followed by a most distressing slump. And I beg to warn all those whom it may concern, specially the landlords of Calcutta, that there will be a slump and that there is no doubt about it, and that within a very few years."

The motion was then put and agreed to.

ADJOURNMENT.

The Council was then then adjourned *sine die*.

A. M. HUTCHISON,

Secy. to the Govt. of Bengal and

Secy. to the Bengal Legislative Council (Offg.).

CALCUTTA,

The 19th September, 1919.



The Calcutta Gazette

WEDNESDAY, DECEMBER 3, 1919.

PART IVA.

Proceedings of the Bengal Legislative Council.

GOVERNMENT OF BENGAL.

LEGISLATIVE DEPARTMENT.

Abstract of the Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act, 1915.

THE Council met in the Council Chamber at Government House, Calcutta, on Wednesday, the 19th November, 1919, at 11 A.M.

Present :

HIS EXCELLENCY the Right Hon'ble LAWRENCE JOHN LUMLEY DUNDAS, EARL OF RONALDSHAY, G.C.I.E., *Governor of the Presidency of Fort William in Bengal, presiding.*

The Hon'ble SIR HENRY WHEELER, K.C.I.E., C.S.I.

The Hon'ble MR. J. G. CUMMING, C.S.I., C.I.E.

The Hon'ble SIR BIJAY CHAND MAHTAB, K.C.S.I., K.C.I.E., I.O.M., MAHARAJA-DHIRAJA BAHADUR OF BURDWAN.

The Hon'ble MR. C. J. STEVENSON-MOORE, C.V.O.

The Hon'ble MR. F. C. FRENCH, C.S.I.

The Hon'ble MR. L. S. S. O'MALLEY, C.I.E.

The Hon'ble MR. G. N. ROY.

The Hon'ble MR. C. F. PAYNE.

The Hon'ble Mr. M. C. McALPIN.

The Hon'ble Mr. S. W. GOODE.

The Hon'ble Mr. F. A. A. COWLEY.

The Hon'ble COLONEL J. K. CLOSE, M.D., I.M.S.

The Hon'ble Mr. W. W. HORNELL, C.I.E.

The Hon'ble KHAN BAHADUR MAULVI AMINUL ISLAM.

The Hon'ble SIR RAJENDRA NATH MOOKERJEE, K.C.I.E.

The Hon'ble SIR NILRATAN SARKAR, K.T.

The Hon'ble Mr. R. V. MANSELL, O.B.E.

The Hon'ble Mr. W. H. H. ARDEN-WOOD, C.I.E.

The Hon'ble Mr. AMINUR RAHMAN.

The Hon'ble RAJA HRISHIKESH LAHA, C.I.E.

The Hon'ble Mr. L. V. N. MEARES.

The Hon'ble Mr. PROVASH CHUNDER MITTER, C.I.E.

The Hon'ble BABU SIV NARAYAN MUKHARJI.

The Hon'ble KUMAR SHIB SHEKHARESWAR RAY.

The Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI.

The Hon'ble Mr. ARUN CHANDRA SINGHA.

The Hon'ble SIR DEBA PRASAD SARBADHIKARI, K.T., C.I.E.

The Hon'ble RAI DEBENDER CHUNDER GHOSE BAHADUR.

The Hon'ble Mr. R. M. WATSON SMYTH.

The Hon'ble Mr. W. H. PHELPS.

The Hon'ble Mr. G. A. BAYLEY.

The Hon'ble Mr. H. R. A. IRWIN, C.I.E.

The Hon'ble DR. ABDULLA-AL-MAMUN SUHRAWARDY.

The Hon'ble MAULVI ABUL KASEM.

The Hon'ble Mr. M. ASHRAF ALI KHAN CHAUDHURI.

The Hon'ble KHAN SAHIB AMAN ALI.

The Hon'ble BABU BHABENDRA CHANDRA RAY.

The Hon'ble Mr. ALTAF ALI.

The Hon'ble RAI MAHENDRA CHANDRA MITRA BAHADUR.

The Hon'ble BABU SURENDRA NATH RAY.

The Hon'ble BABU KISHORI MOHAN CHAUDHURI.

*Questions and Answers.***LIST OF BUSINESS—ITEM No. 1.****OATH OR AFFIRMATION OF ALLEGIANCE.**

1. The Hon'ble Mr. Stevenson-Moore, the Hon'ble Mr. O'Malley, the Hon'ble Mr. G. N. Roy, the Hon'ble Mr. Hornell, and the Hon'ble Mr. Watson Smyth, made an oath or affirmation of their allegiance to the Crown.

LIST OF BUSINESS—ITEM No. 2.**STARRED QUESTIONS.**

The following questions which had been starred were put and answered :—

By the Hon'ble Rai Debender Chunder Ghose Bahadur:—

***1.**

(a) What is the name of the gentleman who was responsible for the weather reports which were issued on the 24th and 25th of September last in Calcutta from the Bengal Meteorological office? The cyclone in East Bengal.

(b) Is it a fact that on the 24th September, he published the following report:—

“ The depression which is in the north-west angle of the Bay this morning is only slight. It will likely move into South Bengal to-day. The sea is moderate at Saugor Island and Pamban and rough at Colombo ”?

(c) Is it a fact that the following day, he published the following report:—

“ The storm which passed to the south-east of Calcutta yesterday was of very small extent and only affected places which were close to its centre.

.....The effect of the small storm has disappeared rapidly and the sea is smooth or slight at all stations except Colombo where it is rough ”?

(d) Is it a fact that the Central Meteorological office at Simla record the following observation at 8 o'clock in the morning of the 24th of September upon the same materials which were available to the Bengal Meteorological office:—

“ The disturbance in the Bay has developed into a storm about 50 miles south of Saugor Island. It will probably enter Bengal to-day ”?

(e) Since the last cyclone, *i.e.*, of the 24th and 25th September, have the Government of Bengal made inquiries into the conduct of the Bengal Meteorological Reporter, and if they are satisfied with that gentleman's explanation will they be pleased to favour this Council with a brief statement of that explanation?

(f) Is the same gentleman still holding the Meteorological Reporter's office or has he been relieved of it?

Answer by the Hon'ble Mr. McAlpin:—

(a) The officer concerned is Mr. D. B. Meek, Meteorologist, Calcutta.

(b) Yes.

(c) Yes.

Questions and Answers.

(d) Yes. None of these reports referred, however, to the cyclonic nature of the storm for the reason given in the *communiqué* published by Government on the 14th October, 1919, that it was of too small a diameter to influence meteorological conditions at the observatories between which it passed.

(e) No. The Meteorologist, Calcutta, is under the Government of India and not under the Government of Bengal. Moreover, the Government of Bengal have no reason to be dissatisfied with his work or to believe that his conduct can in any manner be associated with the havoc wrought by the cyclone.

(f) Mr. D. B. Meek continues to hold charge of the office of the Meteorologist, Calcutta.

By the Hon'ble Rai Debender Chunder Ghose Bahadur:—

*II.

The cyclone in East Bengal.

(a) In connection with the cyclone of the 24th September last will the Government be pleased to state whether danger signals were hoisted at the inland river stations of East Bengal, and, if so, at what hour and in what places?

(b) Have the Government ascertained whether communications could not have been made earlier, and danger signals hoisted earlier, than what was actually done?

Answer by the Hon'ble Mr. McAlpin:—

(a) Danger signals were hoisted at the following inland river stations of East Bengal on the 24th September at the times stated:—

Goalundo	...	...	...	...	19 hrs. 30 min.
Narayanganj	...	...	...	...	19 hrs. 51 min.
Chandpur	...	...	...	...	19 hrs. 20 min.
Barisal	...	...	...	...	20 hrs. 10 min.

(b) Government have ascertained that orders to hoist danger signals were communicated as soon as meteorological conditions indicated that such signals were necessary and justified."

By the Hon'ble Babu Kishori Mohan Chaudhuri:—

*III.

Librarian of the Rajshahi College.

(a) Are the Government aware that the Librarian of the Rajshahi College, which is a large first grade College teaching up to the B.A. and B.Sc. Honours standard in English, Mathematics, Sanskrit, Philosophy, History, Physics and Chemistry, is an officer of the Lower Subordinate Educational Service on Rs. 20—25?

(b) Is it a fact that the Principal of the Rajshahi College made repeated applications for the appointment of a competent Librarian at a higher rate of pay?

(c) Is it a fact that these were rejected by the Director of Public Instruction on the ground that he considered that no good case had been made out by the Principal?

(d) Will the Government be pleased to lay on the table a comparative statement of the Library staff of the Presidency, Dacca and Rajshahi Colleges?

*Questions and Answers.***Answer by the Hon'ble Mr. Goode:—**

(a) Yes.

(b) and (c) The Director of Public Instruction reports that in February, 1918, the Principal recommended the appointment of an *additional* librarian on Rs. 50, but the proposal could not be entertained mainly owing to financial stringency. The Principal re-opened the question in July last. Mr. Dunn decided that the whole question of the pay of librarians in Government colleges should be reviewed. This has been done, and the Director of Public Instruction will shortly submit proposals to Government with regard to Rajshahi and certain other colleges, which also have only one librarian.

(d) A statement is laid on the table."

Statement referred to in the answer by the HON'BLE MR. GOODE to question No. III (starred) asked by the HON'BLE BABU KISHORI MOHAN CHAUDHURI at the Council meeting of the 19th November, 1919, showing the present staff of the Library of the Presidency, Dacca and Rajshahi Colleges.

			Rs.	
Presidency College	{	1 Librarian ...	75	(Class VI, Subordinate Educational Service.)
		1 Assistant Librarian ...	50	(Outside the Graded Service.)
		1 Ditto ...	45	(Ditto.)
		1 Ditto ...	30—1—35	(Class II, Lower Subordinate Educational Service.)
		—		
		4		
		—		
Dacca College	{	1 Librarian ...	250	(Class VII, Provincial Educational Service.)
		1 Assistant Librarian ...	30—1—35	(Class II, Lower Subordinate Educational Service.)
		1 Assistant Librarian (Science Library) ...	15—1—20	(Class V, Lower Subordinate Educational Service.)
		—		
		3		
		—		
Rajshahi College		1 Librarian ...	20—1—25	(Class IV, Lower Subordinate Educational Service.)

By the Hon'ble Babu Kishori Mohan Chaudhuri:—***IV.**

(a) Are the Government aware that in all Government Colleges in Bengal, except the Rajshahi College, there is a gymnastic and games teacher? Want of a gymnastic and games teacher in the Rajshahi College.

(b) Are the Government aware that the Principal applied for the creation of the post of a gymnastic and games master, but that the application was rejected by the Director of Public Instruction?

*Questions and Answers.***Answer by the Hon'ble Mr. Goode:—**

"(a) Yes at all except the Sanskrit College.

(b) The Principal applied for the creation of a post in 1915, but the Director of Public Instruction could not entertain the proposal on account of financial stringency. Arrangements were, however, made by the Principal so that all the college students could take part in some form of physical exercise. The Principal reopened the question in August last, and the proposal is now under the consideration of Government."

By the Hon'ble Babu Kishori Mohan Chaudhuri:—

***V.**

Status of
Teacher of
Economics in
the Rajshahi
College.

(a) Are the Government aware of the fact that Economics has been taught in the Rajshahi College in the B. A. Pass Course for the last 7 or 8 years and that its teacher is a member of the Subordinate Educational Service?

(b) Is it a fact that since the beginning of the current session extension in affiliation in the Pass Economics has been granted to the Hooghly and Chittagong Colleges and that the teachers in this subject in the latter Colleges are members of the Provincial Educational Service?

(c) Is it a fact that the Principal of the Rajshahi College proposed to the Director of Public Instruction that the post of Teacher of Economics in the Rajshahi College might be filled by a member of the Provincial Educational Service as in the smaller Colleges at Hooghly and Krishnagar, but that the Director of Public Instruction disapproved of the Principal's proposal?

(d) Will the Government be pleased to state the reason for this differential treatment by the Director of Public Instruction, and whether there is any general principle by which he is guided in matters relating to the staff, equipment, contingent grant, etc., of Colleges?

Answer by the Hon'ble Mr. Goode:—

"(a), (b) and (c) The reply is in the affirmative.

(d) In the case of two of the other colleges referred to, it was considered necessary to obtain a professor, who could also lecture in history.

In the case of Hooghly College, the University Inspectors insisted on a professor with high qualifications being appointed and an M.A. of the 1st class was only obtainable at Provincial Educational Service rates. The Director of Public Instruction cannot adhere to general principles in settling matters relating to the staff, equipment, contingent grant, etc., of Colleges. He must be guided by the special needs of each College and also by financial considerations."

By the Hon'ble Babu Kishori Mohan Chaudhuri:—

***VI.**

The cyclone in
East Bengal.

(a) Will the Government be pleased to lay on the table a statement giving full information as to the extent and nature of the losses caused by the late cyclone in East Bengal, and the steps that have been taken, or are being taken, both official and non-official, for alleviating the distress of the people?

(b) Will the Government be pleased to state whether timely warning of the advent of the cyclone was given to the people in the affected area?

(c) If not, what were the reasons of the failure to give such information and what action, if any, have the Government taken in the matter?

Questions and Answers.

(d) Was there any difference in the information supplied by the Simla and Calcutta Meteorological Observatories?

(e) If so, what was the reason for this difference, and what measures have the Government taken to prevent a repetition of similar mistakes in future?

Answer by the Hon'ble Mr. McAlpin:—

“(a) to (e) The Hon'ble Member is referred to the replies to questions No. 3 (Unstarred), and No. 1 (Starred).”

By the Hon'ble Babu Kishori Mohan Chaudhuri:—

***VII.**

Are the Government considering the advisability of starting, under departmental supervision and with Government help, co-operative cloth shops, paddy granaries and jute godowns in different centres on suitable scales for the benefit of the poorer sections of the people of the Presidency? Opening of co-operative cloth shops, etc.

Answer by the Hon'ble Mr. McAlpin:—

“The answer is in the negative.”

By the Hon'ble Babu Kishori Mohan Chaudhuri:—

***VIII.**

(a) Are the Government in a position to state why the jute market has suddenly become dull? The jute market.

(b) Is it due to any transport difficulty?

(c) If so, what is the cause of this difficulty and what steps are the Government taking to remedy it?

(d) Are the Government aware of the opinion that has been expressed that the dullness of the market may be due to profiteering?

(e) What action, if any, are the Government taking to prevent profiteering?

Answer by the Hon'ble Mr. McAlpin:—

“(a) Owing to the absence of foreign demand.

(b) Not so far as Government are aware.

(c) The absence of foreign demand is understood to be due mainly to labour difficulties in England and America and in a minor degree to high freight and a high and fluctuating rate of exchange. The foreign market is the key to the situation.

(d) Government are not aware that the opinion has been expressed that the dullness of the market is due to profiteering. Moreover the facts and the eager competition amongst sellers to clear stocks indicate the reverse of profiteering.

(e) In view of the answer to question (d) this question does not arise.”

By the Hon'ble Babu Kishori Mohan Chaudhuri:—

***IX.**

(a) Are the Government aware that the price of cloth is still very high? Price of cloth.

(b) Have the Government made any inquiries to ascertain whether there is any chance of the high prices going down at an early date, or what measures should be adopted for controlling the market?

Questions and Answers.

(c) Have the Government considered the desirability of arranging for the direct supply to each district of certain quantities of cloth for the benefit of the poorer classes of the people?

Answer by the Hon'ble Mr. Payne:—

“(a) The price of cloth, though still high, has shown no very marked variation since the beginning of the current year.

(b) The Hon'ble Member is referred to the press *communiqué* issued by the Government of India on the 28th October, 1919, a copy of which is laid on the table. The trend of prices is being carefully watched, but further action is not at present contemplated.

(c) The Hon'ble Member is referred to the answer given to question No. XIII (b) asked by him at the Council meeting of the 3rd September last. The cloth referred to in that answer was not needed for the purpose then contemplated, as there was no marked rise of price; and the greater part of it was used for the relief of those who suffered from the cyclone in Eastern Bengal. Arrangements have been made for the free distribution of a limited quantity of cloth to the poor in every district and also in Calcutta at the time of the Peace celebrations.”

Press Communiqué referred to in the answer by the Hon'ble Mr. PAYNE in his reply to clause (b) of Question No. IX.

Since the provisions of the Cotton Cloth Act were formally put into operation in February last, there have been no violent fluctuations in the price of cloth, the trend of which over the whole period has been in a downward direction. During the last few weeks prices have risen in Bombay, mainly as a result of increased demand due to the favourable monsoon conditions, but indications point to an approach to a level which may be regarded as normal in post-war conditions. In these circumstances and in view of the fact that, as stated in a reply to a question asked by the Hon'ble Maharaja Sir Manindra Chandra Nandi in the Imperial Legislative Council on September 25th, the Governments of the United Provinces and Bihar and Orissa, in which the shortage of cloth was originally most acute, have still large stocks of standard cloth on hand and that arrangements have been made by the Controller of Cotton Cloth to ensure a supply of standard cloth to the Punjab and Assam where there is still a demand for it, the Government of India have decided that Cotton Cloth Control should be placed in abeyance for the present. The Cotton Cloth Act will, however, remain in force and its provisions will again be put into operation, should speculation in cloth or any other cause force prices up to such a point as to render this desirable. Mr. F. Noyce, I.C.S., Controller of Cotton Cloth, has joined the Indian Sugar Committee as Vice-President, but will remain in charge of the work connected with cloth control until it is finally wound up at the end of November. A full report on the operations will be published shortly.

By the Hon'ble Rai Mahendra Chandra Mitra Bahadur:—

***X.**

Prevention of
the pollution
of the
Bhagirathi.

Will the Government be pleased to state what steps they are taking in connection with the inquiry for the prevention of the pollution of the Bhagirathi by septic tank discharges?

Answer by the Hon'ble Mr. Goode:—

“A special deputy sanitary commissioner, a bacteriologist and a chemist together with a subordinate establishment commenced work in April. A motor launch was obtained for their use and both banks of the river have

Questions and Answers.

also been carefully surveyed. Samples of water from various points along the river, and samples of effluents entering the river are being systematically examined. Up to the present 843 samples of water have been examined bacteriologically and 596 chemically and 137 samples of effluents derived from septic tanks and drains have also been analysed. Maps are being prepared showing the points at which pollution of the river is taking place, and the sources of this pollution; and data are being collected to enable us to decide their relative importance and the steps that may be necessary for their control."

By the Hon'ble Rai Mahendra Chandra Mitra Bahadur:—

***XI.**

(a) Are the Government considering the advisability of issuing orders directing the appointment of a Salaries Committee to examine generally the adequacy or otherwise of the rates of pay of Government subordinates and menial establishments in various departments, including village officers and others whose cases were not dealt with by the Royal Commission on Public Services in India? Rates of pay of Government subordinates, etc.

(b) Are the Government aware of the action adopted by the Madras Government in this connection?

Answer by the Hon'ble Mr. Payne:—

"(a) Proposals for the improvement of the pay of menials have already been submitted to the Government of India and the question of assimilating the pay of ministerial officers in Eastern and Western Bengal is under consideration. Beyond this, no general inquiry is at present contemplated and in the existing abnormal economical conditions, and while uncertainty exists as to the future financial resources of the province, the time for such an inquiry is scarcely opportune.

(b) Yes."

By the Hon'ble Rai Mahendra Chandra Mitra Bahadur:—

***XII.**

(a) Will the Government be pleased to state whether the Commissioners for the Amta Drainage Scheme have been appointed? Appointment of Commissioners for the Amta Drainage Scheme.

(b) If not, will the Government be pleased to state whether these appointments will be made at an early date?

Answer by the Hon'ble Mr. Goode:—

"(a) Yes.

(b) The question does not arise."

*Questions and Answers.***By the Hon'ble Rai Mahendra Chandra Mitra Bahadur:—*****XIII.**New rules under
the Indian
Arms Act.

(a) Is it within the contemplation of the Government to issue subsidiary orders in regard to the new rules under the Indian Arms Act?

(b) If so, when are these orders likely to be published?

(c) Will the Government be pleased to state the qualifications that will be required of the big zamindars and other respectable persons in Bengal, to enable them to be exempted from the necessity of taking out licenses for firearms in their possession?

Answer by the Hon'ble Mr. Payne:—

“(a) and (b) The local Government contemplate publishing subsidiary orders as soon as possible after the issue by the Government of India of the revised Rules and Schedules under the Indian Arms Act. It is impossible at present to specify a date on which these subsidiary orders will be published.

(c) Pending such publication Government are not prepared to make a statement on this point.”

By the Hon'ble Babu Bhabendra Chandra Ray:—***XIV.**Treatment of
Bengal as a
surplus Province
in the matter
of rice

(a) With reference to the answer to my unstarred question No. 18(b) of the 12th August, 1919, stating that no definite date can be assigned to the decision of the Government of India to treat Bengal as a “surplus province,” and also with reference to the reply to my unstarred question No. 29 (c) of the 3rd September, 1919, are the Government aware that in reply to a question put by the Hon'ble Maharaja of Kassimbazar on the 10th September, 1919, in the Indian Legislative Council, the Government of India stated that the said decision was arrived at “as a result of a conference held at Delhi in October, 1918, at which a representative of the Government of Bengal was present”?

(b) Will the Government also be pleased to refer to the reply given by them to my unstarred question No. 29 of the 3rd September, 1919, particularly the statement that “the Director of Civil Supplies, Bengal, attended (the conferences held at Nagpur and Delhi in August and October, 1918, respectively) with the permission of the Government of Bengal, but not as their representative,” as also to the reply given by the Government of India to the said question of the Hon'ble Maharaja of Kassimbazar, particularly the statement that a representative of the Government of Bengal was present at the conference, and that the decision to treat Bengal as a “surplus province” was arrived at “as a result of the estimate of surplus stocks of rice available in Bengal which was supplied by the Bengal representative at the conference” held at Delhi?

(c) Has the attention of Government been drawn to the proceedings of the said conferences held at Nagpur and Delhi, which were laid on the table of the Indian Legislative Council in reply to another question by the Maharaja of Kassimbazar on the 10th September last, particularly the two opening addresses delivered by Sir Claude Hill who presided at these conferences, in which he described and treated the provincial members present as representatives of the different Provincial Governments?

(d) Will the Government be pleased to explain the apparent contradiction involved in the statements made by the Government of India and the Government of Bengal, respectively, in regard to the capacity in which the then Director of Civil Supplies (Mr. Beadel) attended the said conferences?

Questions and Answers.

(e) Is it not a fact that action was taken at the Delhi conference upon the statement made by Mr. Beadel, then Director of Civil Supplies, Bengal, that Bengal's exportable surplus, during the period November, 1918, to April, 1919, was 240,000 tons of rice?

(f) Is it not also a fact that at the Nagpur conference (which preceded the Delhi conference) Mr. Beadel stated "that in Bengal the prospects are fairly good and the total exportable surplus of Bengal rice may be estimated to be 300,000 tons, of which 60,000 were in Calcutta and the rest chiefly in Birbhum, Midnapore and Burdwan"?

(g) Will the Government be pleased to state whether these statements were made by Mr. Beadel on his personal responsibility?

(h) Will the Government be pleased to state on what data these calculations were based?

(i) When were these statements made by Mr. Beadel first brought to the notice of Government, and what steps have Government made since then to ascertain the correctness or otherwise of the same, and with what result?

(j) How far are these statements reliable in view of the elements of inaccuracy in agricultural statistics and incompleteness of certain trade returns, admitted by Government in reply to my unstarred question No. 26 of the 3rd September, 1919?

(k) Has the attention of Government been drawn to that part of the said proceedings of the conferences in which the standard of individual requirements in food-grains was fixed at one-fifth ton per head per year?

(l) Is it a fact that Mr. Beadel (Bengal) was a member of the sub-committee which was appointed to determine the said standard?

(m) With reference to the statement made by Government in reply to my unstarred question No. 17 of the 12th August, 1919, that "there is ground for believing that this (the standard of one-fifth ton per head per annum) is an overestimate," will the Government be pleased to indicate the considerations on which they differ from the said conferences in entertaining this belief?

(n) Is it a fact that while the Government of Bengal accept a lower standard for calculation, the other provinces that have been allowed to import rice from Bengal, under the system of control, have based the calculations of their requirements on the standard of one-fifth ton?

Answer by the Hon'ble Mr. McAlpin:—

"(a) Yes; but the statement in the reply made on behalf of this Government was as follows:—

'The Government of Bengal are not in a position to answer the question on behalf of the Government of India or the Food-stuffs Commissioner, but they understand that no definite date can be assigned to such a decision.'

(b) Government have referred to the papers in question.

(c) The attention of Government has been drawn to the proceedings of the conferences and to the reply referred to.

Questions and Answers.

(d) Such words as 'representatives of the different Provincial Governments' can be used in different senses. They were used by the Government of Bengal in the sense that the Director of Civil Supplies was neither requested nor authorised to represent the views of this Government.

(e) The question is not clear. The proceedings do not appear to contain any reference to any action which can be definitely assigned to such a statement.

(f) Yes.

(g) Any statements made by Mr. Beadel were made on his personal responsibility.

(h) The estimate given at Nagpur was based on information from different Indian merchants; that given at Delhi was based on similar information, information supplied by District Officers and information gathered in the chief rice-producing centres of Bengal. The estimates were estimates of the amounts which at the time of their preparation the trade would be likely to export from Bengal.

(i) In October 1918. An inquiry was started as to the accuracy of these figures, but was dropped as unnecessary on receipt of orders to make detailed inquiries into the larger question of the amount of food-stocks in the Province. The orders arose out of the first resolution of the Delhi conference.

(j) The question does not seem to arise as these agricultural statistics or returns were not used in the compilation of the estimates.

(k), (l), (m) and (n) The attention of Government has been drawn to that part of the proceedings of the Delhi conference in which the standard of one-fifth ton per head per year was taken, not fixed, as a provisional basis. Mr. Beadel was a member of the sub-committee by which, *inter alia*, the said standard was adopted. Government have no official information on the subject, but so far as they are aware the standard provisionally adopted has been generally abandoned. In this connection the Hon'ble Member is referred to the answer to question No. 22 put by him in Council on the 3rd September, 1919."

By the Hon'ble Babu Bhabendra Chandra Ray:—

***XV.**

Consumption
and sale of
Burma rice.

(a) Will the Government be pleased to make a statement showing, month by month, the quantities of controlled Burma rice absorbed by the different districts of Bengal?

(b) What arrangements are there in the different localities for the retail sale of controlled Burma rice, and for ensuring such sale strictly at controlled rates?

Answer by the Hon'ble Mr. McAlpin:—

"(a) Two statements are laid on the table.

(b) A statement is laid on the table containing information called for up to the 27th September, 1919. Only persons or bodies of persons approved by the Collector who agreed to sell at controlled rates were allowed to import Burma rice. No other arrangements were in force generally."

Questions and Answers.

Statements referred to in the answer by the Hon'ble Mr. McAlpin to Question No. XV (starred) asked by the Hon'ble Babu Bhabendra Chandra Ray at the Council meeting of the 19th November, 1919.

Statement showing month by month quantities of controlled Burma rice despatched from Calcutta to the different districts of Bengal.

(Figures are in Maunds).

Districts.	June.	July.	August.	September.	October.	November up to 12th.	Total.
1. Bakarganj	...	...	3,054	49,906	36,833	19,039	108,832
2. Bankura	2,000	...	...	...	...	...	2,000
3. Bogra	...	...	6,014	22,534	24,247	640	53,435
4. Burdwan	450	2,300	5,150	14,064	520	441	22,925
5. Calcutta	7,810	3,702	15,958	122,394	41,258	8,516	199,638
6. Dacca	...	4,366	20,430	140,764	131,326	22,586	319,472
7. Darjeeling	21,776	13,707	9,472	48,629	52,556	2,586	148,726
8. Dinajpur	...	...	...	1,800	1,380	...	3,180
9. Faridpur	460	375	600	20,234	44,585	1,702	67,956
10. Howrah	...	...	...	15,094	2,722	...	17,816
11. Hooghly	...	6,000	...	7,568	4,472	1,000	19,040
12. Jalpaiguri	...	...	...	8,944	16,494	1,993	27,431
13. Jessore	...	...	2,080	8,468	18,626	320	29,494
14. Khulna	...	...	3,702	20,912	63,556	1,500	89,670
15. Malda	...	...	...	600	...	...	600
16. Midnapore	...	...	...	4,000	...	...	4,000
17. Murshidabad	...	...	860	4,106	...	...	4,966
18. Mymensingh	...	...	3,080	161,614	313,125	54,064	531,883
19. Nadia	...	...	...	1,354	800	...	2,154
20. Pabna	...	...	150	23,748	15,915	1,880	41,693
21. Rajshahi	1,000	...	956	4,738	3,021	500	10,215
22. Rangpur	...	...	...	6,574	6,320	2,888	15,782
23. Tippera	...	...	...	25,822	...	...	25,822
24. 24-Parganas	...	...	...	14,966	19,470	34,972	69,408
Total	33,496	30,450	71,506	728,833	797,226	154,627	1,816,138

NOTE.—Birbhum, Noakhali, Chittagong, Chittagong Hill Tracts took no controlled Burma rice from Calcutta.

*Questions and Answers.***Statement of rice controlled and uncontrolled despatched by rail from Chittagong.**

(Figures are in Maunds.)

Districts.	June.	July.	August.	September.	October.	Total.
Mymensingh	810	1,620	17,674	20,580	31,255	71,939
Dacca ...	1,381	7,925	5,739	3,764	10,074	28,883
Tippera ...	75,450	134,252	177,675	211,237	329,446	928,060
Noakhali ...	17,165	12,811	10,023	4,062	30,257	74,318
Total ...	...	...	...	...	...	1,103,200

NOTE.—(1) Separate figures for controlled rice are not available.

(2) Precise information as to the amount of Burma rice absorbed in Chittagong district is not available. It is believed that up to the time when control was introduced rather less than one-third of the total imports or between five and six lakhs of maunds were absorbed by Chittagong district. After control was introduced the amount of Burma rice allotted to Chittagong district was 143,073 maunds between 17th September 1919 and 25th October 1919.

Statement showing arrangements for the retail sale of controlled Burma rice in different districts up to 1st October 1919.**BURDWAN DIVISION.****Burdwan District.**

- (1) Burdwan District Board (shops).
- (2) Burdwan Municipality.
- (3) Asansol Municipality.
- (4) Raniganj Municipality (through two Marwari nominees).
- (5) Four licensed importers.

Bankura District.

- (1) Bankura District Board.
- (2) Bankura District Famine Relief Committee.

Midnapore District.

- (1) Midnapore District Board.
- (2) Midnapore Municipality (through dealers approved by Municipality).
- (3) Dealers in Ghatal sub-division approved by Subdivisional Officer.
- (4) Tamluk Local Board (through co-operation of local gentlemen).

Hooghly District.

- (1) Hooghly District Board.
- (2) Champdani Municipality.
- (3) Bansbaria Municipality.
- (4) Managers of eight jute mills.

Howrah District.

- (1) Howrah District Board.
- (2) The Co-operative Store at Ulubaria affiliated to the Central Co-operative Bank.
- (3) Five licensed importers.

Questions and Answers.

PRESIDENCY DIVISION.

24-Parganas District.

- (1) 24-Parganas District Board.
- (2) Kanchrapara Municipality.
- (3) South Dum-Dum Municipality.
- (4) Budge-Budge Municipality.
- (5) Baranagore Municipality.
- (6) Jute and Paper Mills for their employees.
- (7) Co-operative Societies.
- (8) Licensed importers.

Nadia District.

- (1) Nadia District Board.
- (2) Nadia Central Co-operative Bank, Krishnagar.
- (3) Three licensed importers.

Murshidabad District.

- (1) Berhampore Co-operative Bank.
- (2) Lalbagh Rice Committee.
- (3) Four licensed importers.

Jessore District.

- (1) Jessore Banking and Trading Co.
- (2) Four licensed importers.

Khulna District.

- (1) Khulna District Board.
- (2) Khulna Municipality.
- (3) Khulna Relief Committee.
- (4) Co-operative Stores, Khulna and Bagerhat, and Central Bank, Bagerhat.
- (5) Khulna Loan Co., Ltd.
- (6) Six licensed importers.

DACCA DIVISION.

Dacca District.

- (1) Dacca District Board for sale through Union Committees, Sub-Registrars and Presidents of Panchayets.
- (2) Dacca Municipality for sale through its own staff at different centres.
- (3) Bikrampur Central Co-operative Society, Munshiganj.
- (4) Seven local Committees, viz., (i) Dacca Rice Committee, (ii) Nawabpur Relief Committee, Dacca, (iii) Munshiganj Rice Committee, (iv) Dacca Bar Library Relief Committee, (v) Narayanganj Rice Committee, (vi) Manikganj Rice Committee and (vii) Dhamrai Rice Committee.
- (5) Firms at Narayanganj.
- (6) Forty licensed importers.

Mymensingh District.

- (1) Jamalpur Co-operative Society.
- (2) Kishorganj Central Co-operative Bank.
- (3) Kishorganj Loan Office, Ltd.
- (4) One hundred and nineteen licensed importers.

*Questions and Answers.***Faridpur District.**

- (1) Faridpur District Board.
- (2) (i) Faridpur Central Co-operative Bank.
(ii) Goalundo Central Co-operative Bank.
(iii) Madaripur Central Co-operative Bank.
(iv) Gopalganj Central Co-operative Bank.
- (3) Four Loan Banks in Madaripur, viz., (i) Madaripur Commercial Bank,
(ii) Madaripur Popular Banking and Loan Co., Ltd., (iii) Madaripur
Loan Office and (iv) Madaripur Bank, Ltd.
- (4) Madaripur Union Jute Co.
- (5) Eighteen licensed importers and seven relief committees in the Sadar
and Madaripur subdivisions.

Bakarganj District.

- (1) Bakarganj District Board.
- (2) Barisal and Jhalakati Municipalities.
- (3) Co-operative Supply Society, Sundarbans.
- (4) Barisal Loan Office.
- (5) Bar Libraries, Barisal, Pirojpur, Patuakhali and Bhola.
- (6) Ten licensed importers.

CHITTAGONG DIVISION.**Chittagong District.**

About 12 licensed importers and Co-operative Banks and School Associations.

Tippera District.

- (1) Mrs. K. C. De's Divisional Relief Committee.
- (2) Six licensed importers.

Noakhali District.

- (1) Three Rice Committees, one at Noakhali, one at Lakhipur and one
at Feni.
- (2) Twenty-one licensed importers.

RAJSHAHI DIVISION.**Rajshahi District.**

- (1) Two Societies, viz., (i) Naogaon Co-operative Supply and Sale Society
and (ii) Islamia Bank, Naogaon.
- (2) Nineteen licensed importers.

Dinajpur District.

- (1) Balurghat Co-operative Bank.
- (2) Eleven licensed importers.

Jalpaiguri District.

- (1) Jalpaiguri District Board.
- (2) Eleven licensed importers.
- (3) Tea Garden Managers.

Questions and Answers.

Rangpur District.

- (1) Rangpur District Board.
- (2) Local Boards, Kurigram, Nilphamari and Gaibandha.
- (3) Rangpur Municipality.
- (4) (i) Gaibandha Central Co-operative Bank.
(ii) Nilphamari Central Co-operative Bank.
- (5) (i) Rangpur Loan Office.
(ii) Mahiganj Loan Office.
(iii) Nilphamari Trading and Banking Co., Ltd.
- (6) Twenty-one licensed importers.

Bogra District.

- (1) Co-operative Central Bank, Bogra.
- (2) (i) Bogra Loan Office, Ltd.
(ii) Naukhila Loan Co., Ltd.
- (3) Twenty agencies for sale of controlled rice.

Pabna District.

- (1) Pabna Co-operative Urban Bank.
- (2) Pabna Dhan Bhandar, Ltd.
- (3) Twelve licensed importers.

Malda District.

- (1) Malda Co-operative Industrial Bank.
- (2) Old Malda Municipality.
- (3) One licensed importer.

Darjeeling District.

- (1) Tea Garden Managers.
- (2) Twenty-three licensed importers.

By the Hon'ble Babu Surendra Nath Ray:—

***XVI.**

(a) Is it a fact that about the first or second week of July last, a man was found inside the out-door ward of the Mayo Hospital who desired admission to the hospital, and that the Doctor informed him that he could not be admitted as no bed was available?

Alleged dereliction of duty on the part of the Doctor in charge of the Mayo Hospital.

(b) Is it also a fact that though the man could not move and was lying on the floor, the Doctor in charge asked the man to go out of the hospital?

(c) Is it also a fact that he was then carried bodily and placed on the footpath in front of the Mayo Hospital?

Questions and Answers.

(d) Is it a fact that the deceased lay there till the next morning when a passer-by 'phoned for an ambulance and that he was removed to the Campbell Hospital, where he died?

(e) Whose duty was it to arrange for the removal of the deceased to the Campbell Hospital, or any other hospital, when it was found that there was no accommodation in the Mayo Hospital?

(f) Are the Government aware of the opinion that has been expressed that it was a dereliction of duty on the part of the Doctor in charge of the Mayo Hospital in having the deceased, who could not move and was lying on the floor, removed bodily to the footpath?

(g) Has the conduct of the Doctor the approval of Government? If not, what steps are the Government taking in the matter?

(h) Are the Government considering the desirability of issuing instructions to all Doctors in charge of hospitals, like that of the Mayo Hospital, that when there is no bed vacant in the hospital, proper steps be taken for sending such patients as are incapable of moving or are very unwell, to the Campbell Hospital or any other hospital?

Answer by the Hon'ble Mr. Payne:—

"(a) On the night of the 25th June, 1919, a man applied for admission to the Mayo Hospital, and admission was refused by Dr. C. H. Banerjee, the House Surgeon on duty.

(b) There is no evidence to show that the man could not move. The House Surgeon states that he examined him and did not consider that he required medical treatment. The Surgeon General and the Commissioner of Police, Calcutta, made a special inquiry into the matter and are of opinion that the House Surgeon should have admitted the man into the hospital.

(c) The man was helped out of the hospital by two ward coolies and placed on the footpath.

(d) The man lay on the footpath all night and was found in the morning with a wound on his forehead. He was then removed in an ambulance to the Campbell Hospital, where he died.

(e) The reason assigned by the House Surgeon for the non-admission of the deceased was not so much the want of accommodation as that he considered that the man did not require medical treatment. As already stated, the officers who conducted the inquiry do not agree with the conclusion of the House Surgeon in this respect.

(f) and (g) The Surgeon-General and the Commissioner of Police consider that the House Surgeon was guilty of dereliction of duty in not admitting the deceased to the hospital. The House Surgeon is not a Government servant, but Government have reported the matter to the Governors of the Mayo Hospital, under whom he is serving.

(h) The rules of the Mayo Hospital provide that all urgent and emergent cases (with the exception of certain specified infectious diseases) should be admitted. This is a general rule in all hospitals, but the Surgeon-General is issuing a circular drawing special attention to this rule and emphasising that such cases must be admitted and accommodated somehow, whether there is a vacant bed or not."

*Questions and Answers.***UNSTARRED QUESTION.***(Answers to which were laid on the table)***By the Hon'ble Babu Akhil Chandra Datta:—****1.**

(a) Will the Government be pleased to lay on the table a statement giving the following particulars about water-works in Bengal, namely:—

Water-works
in Bengal.

- (1) the municipal towns in Bengal which possess water-works;
 - (2) the year in which water-works were introduced into each town;
 - (3) the initial capital required in each case;
 - (4) what portion or percentage of the initial expenditure was contributed by the Government by way of loan or donation;
 - (5) what portion or percentage was contributed by the municipality concerned;
 - (6) what portion, if any, was contributed by the District Board;
 - (7) what portion, if any, was raised by public subscription;
 - (8) what is the recurring expenditure involved in the case of each municipality; and
 - (9) what arrangement has been made in each case for meeting this additional recurring expenditure? If by additional taxation, what was the rate of the assessment?
- (b) What is the amount, if any, which has now accumulated in the hands of the Government of Bengal for the purposes of sanitation?
- (c) What is the principle which, now that the war is over, the Government are adopting as to the disposal and utilisation of this amount?
- (d) What portion or percentage of this amount are the Government devoting towards the introduction of water-works within the municipalities of Bengal?
- (e) What are the municipal towns in Bengal which, according to the Government, are badly in need of water-works?
- (f) Will the Government be pleased to mention their names in order of the degree of their necessity for water-works?
- (g) How many schemes for water-works are now awaiting the administrative sanction of the Government?
- (h) To what municipalities do they relate?
- (i) Is it in the contemplation of the Government to start water-works in any municipalities in the year 1920-21?
- (j) Are the Government considering the desirability of making a provision in next year's budget for water-works in the Comilla Municipality?

Answer by the Hon'ble Mr. Goode:—

- (a) A statement is laid on the table furnishing the required information.
- (b) The unspent balances of the Imperial assignments on sanitation now amount to Rs. 64,04,523.
- (c) No definite principle has been laid down for the utilisation of this balance, but it is expected that the greater portion of it will be spent as soon as possible on matured schemes which have been sanctioned by the Government.
- (d) No percentage of these balances has been earmarked for the introduction of water-works within the municipalities of Bengal.
- (e) and (f) Bhatpara, Midnapur, Krishnagar, Asansol, Raneegunge, Comilla, Rangamati, Faridpur and Suri.
- (g) Two.
- (h) Midnapur and Noakhali.
- (i) It is hoped that provision may be made in the budget of 1920-21 for water-works in the following municipalities:—Raneegunge, Asansol, Bhatpara, Rangamati, Comilla, Chandpur and Faridpur.
- (j) Yes."

Questions and Answers.

Statement referred to in the answer by the Hon'ble Mr. Goode to question No. 1 (unstarred asked by the Hon'ble BABU AKHIL CHANDRA DATTA at the Council meeting of the 19th November, 1919, showing names of municipal towns in Bengal which possess water-works.

Serial No.	(a. 1) Names of municipal towns in Bengal which possess water-works.	(a. 2) Year in which water-works were introduced in each town.	(a. 3) Initial capital required in each case.	(a. 4) WHAT PORTION OR PERCENTAGE OF THE INITIAL EXPENDITURE WAS CONTRIBUTED BY THE GOVERNMENT BY WAY OF LOAN OR DONATION.			(a. 5) Contributed by the Municipality concerned.	(a. 6) Contributed by the District Board.	(a. 7) Raised by public subscription.	(a. 8) Recurring expenditure or maintenance cost during 1918.	(a. 9) Arrangement for meeting the maintenance cost and percentage of water tax.
				Loan.	Donation.	Total.					
				Rs.	Per cent.	Per cent.	Per cent.	Per cent.	Per cent.	Rs.	
1	Dacca	1878	10,29,133	41'2	38'4	79'6	7'2	Nil	13'2	33,667	Water-rates levied on the annual valuation of holdings— at 2 and 3 per cent.
2	Burdwan	1884	2,35,500	52'8	21'3	74'1	4'6	Nil	21'3	25,362	.. 6 and 7½ per cent.
3	Mymensingh	1893	1,42,796	...	...	...	...	21	79	19,138	.. 5½, 6½ and 7½ per cent.
4	Howrah	1896	15,07,823	100	...	100	...	...	...	1,09,313	.. 5 and 6 per cent.
5	Patuakhali	1898	2,204	Not known.							
6	Berhampore	1899	2,28,883	...	...	...	...	...	100	12,228	.. 7½ per cent.
7	Kurseong	1907	54,588	64'1	27'5	91'6	8'4	...	...	4,621	.. 5 and 7½ per cent.
8	Darjeeling	1907	1,98,000	100	...	...	...	...	...	6,306	.. 2½ per cent.
9	Khulna	1907	49,600	32'0	34'4	66'4	2'5	16'7	14'3	3,863	.. 6 and 4 per cent.
10	Faridpur	1908	12,000	Not known.							
11	Narangunge	1908	2,03,500	83'9	16	99'9	...	...	...	17,871	.. 6 per cent.
12	Chandpur	1912	27,500	54'6	23'7	78'3	18'2	...	3'5	4,180	.. 6½ per cent.
13	Barisal	1912	1,88,000	25'5	34'6	60'1	2'7	21'3	15'9	9,521	.. 6 and 7 per cent.
14	Jessore	1914	1,54,000	42'2	35'1	77'3	...	6'5	16'2	6,144	.. 6½ and 6 per cent.
15	Hooghly-Chinsura	1914	6,03,500	28'9	41'4	70'3	1'5	...	28'2	22,460	.. 5½ and 6½ per cent.
16	Serampore	1914	1,63,437	24'5	30'6	55'1	17'4	3'0	24'5	20,608	.. 6 and 7½ per cent.
17	Bankura	1916	55,455	46'9	32'5	79'4	9'8	10'8	...	4,918	.. 4½ and 6 per cent.
18	Chittagong	1916	3,58,796	41'6	55'9	97'5	2'3	...	...	38,519	.. 3½ per cent.
19	Uttarpara	1916	1,50,516	16'6	29'8	46'4	6'0	...	47'6	...	Opened recently.
20	Nator	1919	88,200	...	50'1	50'1	3'4	17'0	29'5	...	
21	Satkhira	1919	67,000	...	52'8	52'8	...	7'4	38'8	...	
22	Cossipore-Chitpur	1894	1,27,366	...	...	...	100	...	...	...	Water-rates levied on the annual valuation of holdings— at 4 per cent.
23	Garden Reach	1903	60,410	74'4	...	74'4	25'6	...	...	...	.. 3½ per cent.
24	South Suburban	1904	62,171	46'6	19'3	65'9	34'1	...	...	...	.. 3 per cent.
25	Tollygunge	1909	23,638	97'3	...	97'3	2'7	...	...	...	.. 4½ and 5½ per cent.
26	Maniktala	1912	1,01,974	98'0	...	98'0	2'0	...	...	...	.. 5 and 7 per cent.
27	Garulia	1904	7,160	62'8	30'2	100'0	...	...	...	...	}
28	Titagarh	1905	17,923	72'5	...	72'5	27'5	...	...	...
29	Bhatpara	1906	27,384	73'0	...	73'0	27'0	...	...	...
30	Bhadreswar	Not known			...	...	...	...	...	...	}
31	Chandpur ... ..				...	...	...	...	...	...
32	Nalhati ... ..				...	...	...	...	...	...
33	Baranagar	1918	...	...	...	...	...	...	...	...	...

* Supplied from Calcutta Water-works.

† Supplied from local mills.

*Questions and Answers.***By the Hon'ble Babu Akhil Chandra Datta:—**

2.

(a) Are the Government aware that there is no waiting-room for the Inter and Third Class female passengers at Akhaura Junction on the Assam-Bengal Railway line?

Waiting-room
for the Inter
and Third Class
female
passengers at
Akhaura
Junction.

(b) Are the Government aware that female passengers coming from the Ashuganj branch, and particularly those who travel by the "Surma Mail Trains," have to spend several hours at night at Akhaura?

(c) Are the Government aware that the inconvenience and discomfort to female passengers are intensified during the rains?

(d) What steps (if any) are the Government taking to remove these grievances?

Answer by the Hon'ble Mr. Cowley:—

"(a) It has been ascertained from the Assam-Bengal Railway administration that there is a good and large waiting-hall for Third Class passengers, but that no separate waiting-room has been set apart for the use of females travelling as Inter and Third Class passengers.

(b) Yes. Good connections have, however, been arranged for the slow trains.

(c) No. A good general Third Class waiting-hall is provided at Akhaura.

(d) It has been ascertained that the Assam-Bengal Railway do not contemplate the provision of separate Inter and Third Class waiting-rooms for female passengers at Akhaura station."

By the Hon'ble Babu Akhil Chandra Datta:—

3.

(a) Will the Government be pleased to state, district by district:—

The cyclone in
East Bengal.

(i) the number of deaths caused by the cyclone of the 24th September last; and

(ii) the extent and nature of the loss caused to different kinds of property by the said cyclone, as accurately as the information available to Government permits?

(b) Will the Government be pleased to state whether the Meteorological offices at Simla and elsewhere received a premonition that a cyclone would be coming or was likely to come, on or about the 24th September last?

(c) If so, did the Government take any immediate and adequate step for warning the people about the approaching danger?

(d) If so, will the Government be pleased to describe the precautionary measures adopted for the protection of life and property?

(e) If no precautionary measures were adopted, who are the persons responsible for this default?

(f) What is the approximate annual expenditure incurred by the Government for the maintenance of the Meteorological Department?

(g) What was the amount actually expended last year?

(h) Are the Government aware of a feeling in the country that a considerable portion of the loss both in person and property could have been averted if prompt and suitable steps had been taken to warn the people of the coming cyclone?

Questions and Answers.

(i) Are the Government considering the advisability of instituting a satisfactory system of storm warnings along the whole length of the country likely to be affected?

Answer by the Hon'ble Mr. McAlpin:—

“(a) The Hon'ble Member is referred to the *communiqués* of the 13th October and the 7th November, 1919, copies of which are placed on the library table.

(b) to (e) The Hon'ble Member is referred to the reply to starred question No. 1.

(f) and (g) The expenditure on the Meteorological Department is wholly borne by the Government of India. The approximate annual expenditure on the Observatory in Calcutta, as shown in the budget of the Government of India, is half a lakh of rupees. The revised expenditure for 1918-19 was Rs 51,390.

(h) Government are aware of comments in the press on the subject.

(i) The Hon'ble Member is referred to the *communiqué* of the 14th October, of which a copy is placed on the library table, which shows that such a system exists and why warnings of the intensity at the centre of the cyclone could not be given. Danger signals were, however, hoisted at Narayanganj and other places in the track of the storm.”

By the Hon'ble Babu Akhil Chandra Datta:—

4.

Issue of a gun license to Babu Sarat Chandra Chakravarti.

(a) Are the Government aware that Babu Sarat Chandra Chakravarti, Pleader of Faridpur, applied for a gun license for the entire district but that the District Magistrate has granted him a license for a limited area?

(b) Are the Government aware that the license granted to him is not sufficient for his purpose?

(c) Is it a fact that he was given no reasons why his prayer for a license covering the entire district was not granted?

(d) Are the Government considering the desirability of re-examining his application for a license for the entire district?

Answer by the Hon'ble Mr. Payne:—

“(a) Yes.

(b) No.

(c) No.

(d) Government do not consider it desirable to direct a re-examination of his rejected application for a license for the entire district.”

By the Hon'ble Babu Akhil Chandra Datta:—

5.

Accommodation of the Faiznessa Girls' School at Comilla.

(a) Will the Government be pleased to state when the scheme for increasing the accommodation of the Faiznessa Girls' School at Comilla received the administrative sanction of the Government?

(b) What action, if any, has so far been taken for carrying out the scheme? When was such action taken?

(c) Are the Government considering the desirability of proceeding with the building without any further delay?

*Questions and Answers.***Answer by the Hon'ble Mr. Goode:—**

(a) The scheme was administratively approved in Government order No. 773, dated the 14th April, 1917, at an estimated cost of Rs. 96,800 including Rs. 7,288 for land acquired in 1913.

(b) Owing to the financial stringency the scheme was held in abeyance. Additional land was acquired in 1918 at a cost of Rs. 3,584-9-6. No further progress has been made this year as funds are not available.

(c) The scheme is marked as of second urgency in our list of major works administratively approved up to 31st December, 1918. The question of financing the scheme will be considered next year."

By the Hon'ble Babu Akhil Chandra Datta:—

6.

(a) Will the Government be pleased to lay on the table the scheme which has been elaborated for establishing a Lower Primary School of an improved type in each Panchayati Union? Establishment of a Lower Primary School in each Panchayati Union.

(b) How many schools of this type have, up to date, been started, and where?

(c) In what respects are these schools an improvement over the ordinary schools?

(d) Is it in the contemplation of the Government to establish more schools of this type? If so, how many and where?

Answer by the Hon'ble Mr. Goode:—

(a) The Panchayati Union scheme in its present form, aims at providing a lower primary school in each Union which has not an upper primary school. Each school costs the Department Rs. 1,000 for buildings and equipment. The sites of the schools are generally secured as free gifts. The maintenance charges of each Board lower primary school for boys are Rs. 10

<i>Boy's school.</i>			a month as detailed in the margin, and of each
		Rs.	girls' school Rs. 16 (which includes pay of maid-
Head Pandit	...	7	servants and contingencies). Government also
Monitor	...	3	bears a portion of the cost of repairs to the schools.

The funds required for both capital and recurring expenditure are placed by Government at the disposal of the District Boards and the schools are under the direct management of these Boards. The teachers of these schools are allowed to take the fee-receipts.

(b) Up to the present 2,712 Board lower primary schools for boys and girls have been opened in the various districts. A statement is laid upon the table showing the distribution of schools for boys and girls separately district by district.

(c) The Board lower primary schools are superior to ordinary primary schools, in that they are distributed on a definite geographical basis, and are not opened haphazard like privately managed schools. The Board schools are better housed, better equipped, and better staffed, the teachers being selected from Guru Training passed men. The quality of discipline and organisation which prevails in these schools is also superior.

(d) The Education Department intends to complete the Board school scheme by opening about 2,300 more schools in Unions which have no school of the type at present, and for this purpose Rs. 1,50,000, is being devoted annually, since last year, from the 5½ lakhs grant."

Questions and Answers.

Statement referred to in the answer by the HON'BLE MR. GOODE to question No. 6 (unstarred) asked by the HON'BLE BABU AKHIL CHANDRA DATTA at the Council meeting of the 19th November, 1919, showing the number of Board Lower Primary Schools.

Name of District.			Number of existing Board L. P. Schools for Boys.	Number of existing Board L. P. Schools for Girls.	Total number of Schools.
1.	24-Parganas	...	16	Nil	16
2.	Nadia	...	18	"	18
3.	Murshidabad	...	8	"	8
4.	Jessore	...	15	"	15
5.	Khulna	...	7	"	7
			64		64
6.	Burdwan	...	6	"	6
7.	Birbhum	...	6	"	6
8.	Bankura	...	8	"	8
9.	Midnapore	...	15	"	15
10.	Hooghly	...	5	"	5
11.	Howrah	...	9	"	9
			49		49
12.	Dacca	...	141	8	149
13.	Mymensingh	...	495	1	496
14.	Faridpur	...	193	1	194
15.	Bakarganj	...	241	1	242
			1,070	11	1,081
16.	Chittagong	...	150	Nil	150
17.	Noakhali	...	141	6	147
18.	Tippera	...	190	7	197
			481	13	494
19.	Rajshahi	...	208	Nil	208
20.	Dinajpur	...	137	"	137
21.	Jalpaiguri	...	204	1	205
22.	Rangpur	...	233	1	234
23.	Bogra	...	103	Nil	103
24.	Pabna	...	82	"	82
25.	Malda	...	55	"	55
			1,022	2	1,024
Grand Total			2,686	26	2,712

By the Hon'ble Babu Akhil Chandra Datta:—

7.

The hospital at Comilla.

(a) Are the Government aware that the hospital at Comilla is an ill-equipped institution and, in fact, one of the worst mufassal hospitals in the province?

(b) Are the Government aware that Comilla was formerly considered almost as a sanitarium, but that it no longer enjoys that reputation?

(c) Are the Government considering the advisability of improving the condition of the Comilla Hospital, and of making a suitable provision in next year's budget for the purpose?

*Questions and Answers.***Answer by the Hon'ble Mr. Payne:—**

(a) Government are aware that the Comilla hospital requires improvement.

(b) The mortality statistics do not bear out the suggestion that Comilla is becoming increasingly unhealthy.

(c) The hospital is the property of, and is managed by, the Comilla municipality who are said to be handicapped by want of funds. It primarily the duty of the Municipal Commissioners to move in the matter of effecting an improvement, though in similar cases elsewhere private generosity has not infrequently been forthcoming. If any well-devised scheme is submitted to Government, it will be duly considered."

By the Hon'ble Babu Akhil Chandra Datta:—

8.

(a) Is it a fact that a Mussalman very recently sold his son, aged about three years, for Rs. 3 in the bazar of Nagarpur in the district of Mymensingh? Looting of rice, etc.

(b) Is it a fact that he did so because he was unable to maintain himself and his son?

(c) Is it a fact that—

(i) on the 29th August last, a rice boat was looted by about 20 or 25 men in the river Bichanda, near Jhalakati, in the district of Bakarganj;

(ii) some of the looters were arrested, and

(iii) they pleaded that they were driven to this crime by starvation?

(d) Has there been any trial of the people arrested? If so, with what result?

(e) Is it also a fact that—

(i) there was a loot of rice and cloth in the hat of village Begari, within the jurisdiction of police-station Dumjo, in the district of Dacca, and

(ii) on the assemblage of a hundred Hindu and Muhammadan looters, the shopkeepers advanced to offer resistance and the looters threw nitric acid upon the shopkeepers?

(f) Is it a fact that some people have been arrested by the police in connection with this occurrence?

(g) Have they been put on trial? If so, with what result?

Answer by the Hon'ble Mr. McAlpin:—

"(a) The facts of the case are as follows;—

The boy in question is a sickly child, aged about 3 years. His mother is a professional beggar, homeless and deaf, and her present husband is also a professional beggar. One Saiyid Ali of the village of Shunshi took a fancy to the boy and adopted him as his son with the consent of the father and mother. Saiyid Ali gave a new piece of cloth to the mother and Rs. 3 to her husband; but they deny having sold the child.

(b) No.

(c) and (d) A rice boat was looted by about 16 persons in the river Bashanda (not Bichanda) near Jhalakati at 9 A.M. on the 29th of August.

Questions and Answers.

last. Three persons were arrested immediately after the occurrence. Two of them made confessions before the Sadar Subdivisional Officer stating that they were driven to theft by hunger. A charge sheet was submitted by the police against 16 persons of whom 10 were tried and the rest absconded. Of the 10 accused who were tried, six pleaded guilty before the trying Magistrate, five of whom stated that they had committed the crime on account of hunger. Eight of the men were convicted under sections 143 and 380, Indian Penal Code, on the 16th October last. Seven of the accused were sentenced to two months' rigorous imprisonment and one to 14 days' rigorous imprisonment on each of the counts, the sentences being directed to run concurrently. Two of the accused were acquitted as the case against them was not proved.

(e) to (g) There is no police-station by the name of Dumjo in the district of Dacca, and no such case of looting was reported from any village called Begari or any other village in the district."

By the Hon'ble Babu Akhil Chandra Datta:—

9.

Cultivation of cotton.

(a) What recommendations, if any, were made by the Provincial Agricultural Association as a result of their deliberations at their meeting held on the 4th July, 1918, for improving and expanding the cultivation of cotton in the province?

(b) Have those recommendations been given effect to?

(c) What action, if any, has since been taken by the Government in that behalf?

Answer by the Hon'ble Mr. McAlpin:—

"(a) to (c) The Hon'ble Member is referred to the reply given to question No. VIII (starred) at the meeting of the Council held on the 3rd July, 1919. Copies of the press *communiqué* of the 28th October, 1918 and Mr. N. N. Pillai's report referred to therein have been supplied to the Hon'ble Member.

The views already held by Government that the conditions in Bengal are not generally favourable to any marked extension of cotton cultivation are confirmed by the opinion expressed in the report of the Indian Cotton Committee, 1919, namely, that exotic varieties of cotton are unsuited to the climatic and other conditions of the province, and that there seems no prospect of any appreciable extension of the area under the indigenous varieties. The recommendations of that Committee are now under examination."

By the Hon'ble Babu Akhil Chandra Datta:—

10.

Development of the indigenous system of spinning and weaving.

(a) Will the Government be pleased to explain their policy with respect to the development of the indigenous system of spinning and weaving?

(b) What steps, if any, have the Government taken or are taking to revive the *charka* and introduce it on a large scale in the country?

Answer by the Hon'ble Mr. McAlpin:—

"(a) The Hon'ble Member is referred to the statement made by the Hon'ble the Revenue Member in charge in connection with the resolution

Questions and Answers.

regarding the organisation of the cloth weaving industry moved by the Hon'ble Mr. Provash Chunder Mitter at the meeting of the Council held on the 3rd July, 1918, and to the answer given to question No. VI (starred) asked by the Hon'ble Rai Radha Charan Pal Bahadur at the meeting of the Council held on the 3rd July, 1919.

(b) The Hon'ble Member is referred to the annual report of the Weaving Expert, Bengal, for the year 1918-19, a copy of which is placed on the library table.

The hand-spinning of cotton being carried on as a household industry and not on commercial lines, there seems little prospect of a general revival and extension of the *charka*."

By the Hon'ble Babu Akhil Chandra Datta:—

11.

Will the Government be pleased to lay on the table a statement showing, district by district, and year by year, the amount of fees paid by the Government to Government pleaders and public prosecutors during the last five years and during the years 1901 to 1905?

Amount of fees paid to Government pleaders and prosecutors.

Answer by the Hon'ble Mr. Payne:—

"Government are not prepared to undertake the compilation of these statistics which would involve a great deal of extra work on the part of a large number of Collectorate and Magisterial clerks with no advantage when the figures are prepared. Fees vary in each year according to the amount of work to be done. For the gross figures for the whole province the Hon'ble Member is referred to the annual budgets of the years in question."

By the Hon'ble Babu Akhil Chandra Datta:—

12.

Will the Government be pleased to mention, district by district —

- (i) the places where buildings have been constructed in Bengal for the Police Department during the last 5 years;
- (ii) the total cost of such building or buildings at each place; and
- (iii) the purpose for which the buildings are intended?

Construction of buildings for the Police Department.

Answer by the Hon'ble Mr. Payne:—

"The information is being collected and will be laid before the Council at a later date."

By the Hon'ble Babu Akhil Chandra Datta:—

13.

What steps, if any, have the Government taken since the meeting of the Provincial Agricultural Association on the 4th July, 1918—

- (i) for increasing the cultivation of *rabi* food crops;
- (ii) for improving the organization for the supply of manure, seed and implements;
- (iii) for extending the supply of new varieties of sugarcane; and
- (iv) for encouraging the manufacture of yarn?

Cultivation of *rabi* food crops, etc.

*Questions and Answers.***Answer by the Hon'ble Mr. McAlpin:—**

(i) The Hon'ble Member is referred to the answer given to the starred question No. IX put by the Hon'ble Rai Radha Charan Pal Bahadur at the Council meeting of the 3rd July, 1919.

(ii) In accordance with the recommendation of the Association, orders have been issued for the grant of loans under the Agriculturists' Loans Act for the purchase of seeds and improved agricultural implements; similar orders had previously issued regarding the purchase of manure. Seed stores have also been established at district headquarters, both in Eastern Bengal and Western Bengal. The policy of Government as to the establishment of seed stores for areas smaller than a district is explained in paragraph 8 of Government Resolution No. 631 T.—R., dated the 7th June, 1919, which was published in the *Calcutta Gazette* of the 11th idem.

(iii) In conformity with the suggestion made by the Association a programme has been drawn up, for providing every district in Bengal with a farm; two or three such farms will be established every year until the whole province is covered. At the request of the Government the Agents, Eastern Bengal Railway and East Indian Railway Company, have been good enough to issue instructions for the carriage of sugar-cane cuttings over their respective railways at concession rates.

(iv) The Hon'ble Member is referred to the answer given to his unstarred question No. 10."

By the Hon'ble Babu Akhil Chandra Datta:—

14.

Will the Government be pleased to state the number of female students in the Calcutta Medical College and other medical institutions in Bengal?

Answer by the Hon'ble Mr. Payne:—

"The number of female students in the medical educational institutions in Bengal is as follows:—

Medical College, Calcutta	...	15
Carmichael Medical College, Belgachia	...	Nil
Campbell Medical School	...	17
Dacca Medical School	...	9."

By the Hon'ble Babu Akhil Chandra Datta:—

15.

(a) Will the Government be pleased to explain the policy which they have followed or are following with regard to the medical education of women in Bengal and to state the history of female medical education in Bengal?

(b) Will the Government be pleased to state, year by year, the amount of money expended by them on the medical education of women in Bengal during the last ten years?

(c) What is the number of registered female medical practitioners in Bengal, and what diplomas do they hold?

Answer by the Hon'ble Mr. Payne:—

"(a) It has been, and still is, the policy of Government to encourage the medical education of women in every possible way. Female students are admitted without fees at the Medical College, Calcutta, and at the medical schools in Bengal. They also receive scholarships either from Government or other funds. The assistance given by the Countess of Dufferin's Fund to the medical education of women in India is well known.

(b) No separate account is kept of the expenditure on the medical education of women.

(c) There are 48 registered female medical practitioners in Bengal. A list of them, stating the diplomas held by each, is laid on the table."

Number of female students in the Calcutta Medical College and other medical institutions in Bengal.

Medical education of women in Bengal.

Questions and Answers.

*List referred to in the answer by the Hon'ble MR. PAYNE to Question No. 15(c)
(Unstarred).*

Names of Female Medical Practitioners with their respective qualifications.

Names.	Qualifications.
1. Alemas, Bonifac Felix	... Dip.; (Madras Medical College).
2. Amoral, Lucy	... L. M. P. (Dacca).
3. Barah, Lakshmiprobha	... L. M. P. (Cuttack).
4. Barber, Alice Mary	... M. B. & B. S. (Melbourne).
5. Bose, Bidhumukhi	... L. M. S. & M. B. (Calcutta).
6. Emily, Subarnabala	... L. M. P. (Calcutta).
7. Biswas, Kusumkumari	... L. M. P. (Dacca).
8. " Srimati	... L. M. P. (Cuttack).
9. Chaudhuri, Prasannakumari	... Dip.; (Lahore Medical College).
10. Collins, Emily	... Apothecary, - Medical College, Madras.
11. Cousins, Ethel Constance	... M. B. B. S. (Lond.), M. D. (Lond.).
12. Dass, Alice E.	... L. M. P. (Calcutta).
13. " Charusila	... Ditto.
14. Dasi, Probhatnalini	... Ditto.
15. " Susilasundari	... L. M. P. (Dacca).
16. Datta, Promoda	... L. M. P. (Calcutta).
17. Debi, Anandamayi	... L. M. P. (Patna).
18. " Jadumani	... L. M. P. (Calcutta).
19. Ghosh, Jnanada Sundari	... L. M. P. (Dacca).
20. " Saratkumari	... L. M. P. (Calcutta).
21. Guha, Priyabala	... Ditto.
22. Gupta, Basantakumari	... L. M. P. (Cuttack).
23. " Lakshmimani	... L. M. P. (Dacca).
24. Hope, Laura Margaret	... M. B. B. S. (Adelaide).
25. Jewell, Louise	... L. M. F. (Bengal).
26. Khan, Promodini	... L. M. P. (Calcutta).
27. Lazarus, Hilda M.	... M. B. B. S. (Madras), L. R. C. P. (Lond.), M. R. C. S. (Eng.), L. M. (Rohinda).
28. Mallick, Bidyutlata	... L. M. P. (Calcutta).
29. Marchant, Gladys Helen	... M. B. (Calcutta).
30. Nag, Sasimukhi	... L. M. P. (Calcutta).
31. O'Brien, Nellie Bella	... L. M. F. (Bengal).
32. Rufus, Harriet	... L. M. P. (Agra).
33. Sen Haimabati	... L. M. P. (Calcutta).
34. Sen Gupta, Kusumkumari	... L. M. P. (Dacca).
35. Shaw, Surabala	... L. M. P. (Calcutta).
36. Shepherd, Creina	... M. B. (Calcutta).
37. Siddons, Ethiline Brandon	... Dip.; (Medical College, Calcutta).
38. Singh, Catherine Rukhmani	... L. M. P. (Lahore).
39. " Mary	... L. M. P. (Calcutta).
40. Sinha, Charusila	... Ditto.
41. Mazumder, Kusum Kumari	... L. M. P. (Dacca).
42. Ellis, Daisy M.	... Dip.; (Calcutta Medical College).
43. Sarkar, Rose	... M. B. (Calcutta).
44. Dass, Bibhabati	... L. M. P. (Calcutta).
45. Singh, Surabala	... L. M. F. (Bengal).
46. Hansdah, Elizabeth	... L. M. P. (Cuttack).
47. Fernandez, J.	... L. M. P. (Dacca).
48. Basu, Hridayangini Prasadbala	... L. M. P. (Patna).

*Questions and Answers.***By the Hon'ble Babu Akhil Chandra Datta:—****16.**Grand Trunk
Canal Project.

(a) Have the Government come to any decision about the Grand Trunk Canal Project?

(b) If so, will the Government be pleased to say what that decision is?

(c) Do the Government contemplate carrying out the project during the next financial year?

(d) Will the Government be pleased to give a short history of the project?

Answer by the Hon'ble Mr. Cowley:—

(a) The Hon'ble Member is referred to the answer to unstarred question No. 7 given at the meeting of this Council on the 19th December, 1918.

(b) and (c) The project as finally revised was forwarded for the acceptance of the Government of India in August last, and it was requested that the early sanction of the Secretary of State might be obtained to the execution of the project.

(d) The Hon'ble Member is referred to the historical summary which forms the introduction to Mr. Lees' report of 1913 on the Grand Trunk Canal Project, a copy of which has been placed on the library table. Mr. Lees' project was submitted to the Government of India for sanction in June 1914; but it was returned to the Government of Bengal for reconsideration in the light of the note dated the 31st July, 1914, recorded by the Inspector-General of Irrigation. The preparation of revised estimates and necessary plans was then entrusted to Mr. C. Addams-Williams, C.I.E., and the final scheme, as drawn up by Mr. Addams-Williams, has now been submitted to the Government of India for the sanction of the Secretary of State."

By the Hon'ble Babu Akhil Chandra Datta:—**17.**Advancement
of technical
education in
Bengal.

(a) What are the different schemes now under the consideration of the Government for the purpose of advancing technical education in Bengal?

(b) Have any of them been fully developed?

Answer by the Hon'ble Mr. Goode:—

(a) (1) The establishment of a technological institute in Calcutta.

(2) The training of Foreman Mechanics at Kanchrapara.

(3) The expansion of the Government Weaving Institute, Serampore.

(4) Improved accommodation for Sibpur College.

(5) The improvement of the Dacca School of Engineering.

(6) The improvement of the evening classes at the coal fields.

(b) Schemes Nos. 2 and 5 may be said to be fully developed, although funds have not yet been actually allotted for the execution of No. 2.

No. 4 is well advanced, while No. 3 is linked up with No. 1, which though fully developed has not yet been finally approved."

By the Hon'ble Babu Akhil Chandra Datta:—**18.**Industrial
development of
the country.

Will the Government be pleased to enumerate all the steps that have been actually taken in the matter of industrial development of the country since the publication of the report of the Industrial Commission?

Questions and Answers.

Answer by the Hon'ble Mr. Payne:—

"The question is very general in form, but presumably it has reference to the steps taken by the Government of Bengal and not to the various industrial developments due to private enterprise.

The report of the Indian Industrial Commission was received towards the end of 1918, but it necessarily took some time to consider the proposals, and it was not until September last that the sanction of the Secretary of State was received to the organisation of a Department of Industries, which will now be undertaken.

The main questions to which the activities of the Government of Bengal have been directed in the matter of the development of industries since the publication of the report are as follows:—

- (1) The continuation of the development of such industries as assisted in the supply of war materials.
- (2) The encouragement and improvement of hand-loom weaving, for which an officer was placed on special duty and in which considerable progress has been made.
- (3) The investigation of the possibilities of obtaining good tanning material from the Sunderban forests. This inquiry, which is being conducted by Mr. Pilgrim, the tannin expert, is now nearly completed and promises very satisfactory results.
- (4) Investigations made at the Calcutta research tannery, especially as regards—
 - (a) the improvement of local tan-stuffs, and
 - (b) the manufacture of sole leather from buffalo hides.
- (5) The leasing of forests for industrial purposes, such as the extraction of wood pulp, etc.
- (6) The reorganisation of the sericultural department with the object of improving the silk industry.
- (7) The development of co-operative societies with industrial objects.

In addition to the above, technical advice has been given to the promoters of industrial concerns, and in some cases facilities have been afforded under the Land Acquisition Act for the acquisition of land for industrial companies whose operations were of public utility."

By the Hon'ble Babu Akhil Chandra Datta:—

19.

Will the Government be pleased to furnish the following particulars in connection with the scheme for a research tannery:—

Progress of the scheme for a research tannery.

- (i) Is the scheme being worked out?
- (ii) What progress has it made?
- (iii) What is the amount of the money actually expended up to now upon the scheme?
- (iv) What tangible result has so far been achieved?

Questions and Answers.

Answer by the Hon'ble Mr. Payne:—

“(i) and (ii) Land has been acquired and buildings consisting of (1) a laboratory for tanning chemical research, and (2) an experimental tannery for both large and small scale experiments, have been constructed. The services of an experienced Indian expert in tanning, trained in England and on the Continent, have been obtained as superintendent of the tannery. An Indian who has specialised in the study of tannins in England for several years has been appointed as research chemist. Besides these, a tannery foreman and an assistant chemist have been appointed. Arrangements are being made for the training of apprentices.

(iii) The following expenditure has actually been incurred up to date:—

	Rs.
Land	23,483
Buildings	1,09,431*
Machinery and apparatus (ordered) ...	10,000†
Tools and Plant	1,163†
Running charges	598
Establishment	5,164
Contingencies	412
Hides	892
Total	1,51,143

* Amount of allotment. Actual expenditure not known.

† Approximately.

(iv) The following work has been undertaken by the tannery up to date:—

- (a) The investigation of the tanning properties of *Goran* bark, one of the principal tan-stuffs used in Calcutta.
- (b) Experiments (1) on the production of good sole-leather by the use of local tan-stuffs and (2) on the manufacture of glazed kid leather from goat-skins, have been undertaken.
- (c) Technical advice has been given to a few local firms.

If any Hon'ble Member cares to visit the tannery and will communicate with the Director of Industries, the latter will be pleased to give facilities for seeing it.”

By the Hon'ble Babu Akhil Chandra Datta:—

20.

Results achieved by the distribution of improved varieties of paddy and jute.

(a) Will the Government be pleased to state whether any tangible and appreciable result has been achieved by the distribution of improved varieties of paddy and jute seed?

(b) If so, in what district or districts and to what extent?

Answer by the Hon'ble Mr. McAlpin:—

“(a) and (b) The Hon'ble Member is referred to Government Resolution No. 7274, dated the 2nd September 1919, on the report on the operations of the Department of Agriculture, Bengal, for 1918-19, which was published in the *Calcutta Gazette* of the 3rd September, 1919.”

Questions and Answers.

By the Hon'ble Babu Akhil Chandra Datta:—

21.

(a) Will the Government be pleased to enumerate all the projects which have been recommended by the Sanitary Board for the sanitary improvement of the province? Sanitary improvement of the province.

(b) Which of them, if any, have received the administrative approval of the Government?

(c) Which of them, if any, have been executed, and at what cost?

(d) Which of them do the Government contemplate carrying out during the current financial year, and at what approximate cost?

Answer by the Hon'ble Mr. Goode:—

“ The information is being collected and a reply will be given at a later meeting of the Council.”

By the Hon'ble Babu Akhil Chandra Datta:—

22.

(a) Will the Government be pleased to mention—

(i) the anti-malarial works which have been taken up for execution since the commencement of the current financial year, Anti-malarial works.

(ii) the districts and localities to which they relate,

(iii) the improvement which they are intended to effect,

(iv) the progress which each of them has made?

(b) Has any anti-malarial drainage project been completely carried out up to now?

(c) If so, in what district or districts and at what cost?

(d) What appreciable improvement have they effected in the sanitary condition of the localities concerned?

Answer by the Hon'ble Mr. Goode:—

“ (a) (i) The following anti-malarial schemes have been taken up for execution during the current year—

(1) Baraghachi.

(2) Manikhali.

(3) Jabuna.

(4) Arul Beel.

(5) Nawai-Sunthi.

(ii) Nos. (1), (2) and (5) relate to the 24-Parganas district and Nos. (3) and (4) to the Jessore district.

(iii) (a) *Baraghachi*.—This is a deep basin where rain water collects and where no cultivation is now possible. Here the water will be drained away and regulated according to the needs of the crop.

Questions and Answers.

(b) *Manikhali*.—A new khal is to be constructed in place of the old khal. The idea is to bring a large area of land into cultivation and also to admit the silt-laden water of Hooghly into the khal and pass it through fields and low-lying ditches.

(c) *Jabuna*.—The idea is to resuscitate the dead river in certain portions. By tapping the water of certain beels, the beels will be brought under cultivation and the excess water will be drained away through the dead river. The river, which is at present the breeding place of millions of mosquitoes, will thus be improved and the number of mosquitoes diminished to a great extent.

(d) *Arul Beel*.—A large area of land will be brought under cultivation and the surplus water will be drained away *via* the Mukteswari and Harihar rivers. Here also the chief aim is regulation of water.

(e) *Nawai-Sunthi*.—With this scheme is combined the Burthi Beel project. The object is the same: the dying or dead rivers will be resuscitated and a large beel area will come under cultivation.

(iv) Construction works are being carried out for all the five schemes.

(b) and (c) Yes. Four anti-malarial flood flush schemes have so far been completely carried out, viz:—

(1) In the Meenglas tea estate in the district of Jalpaiguri, at a cost of Rs. 34,000.

(2) In the Singaran-Toposi collieries in the district of Burdwan, at a cost of Rs. 13,200.

(3) Within the Jangipur municipality in the district of Murshidabad, at a cost of Rs. 27,500.

(4) At Banka Valley in the district of Burdwan, at a cost of Rs. 73,217.

(d) There is definite evidence of the relative reduction of anopheles mosquitoes both at Meenglas and at Singaran. As regards morbidity and mortality the figures of last year have, however, been vitiated by unprecedented sickness due to influenza.

As regards the Banka Valley Scheme the evidence of the Superintending Engineer is that the scheme has resulted in the saving of crops which would otherwise have been lost: and the scheme from this point of view must have had a direct effect on the health of the population in the sphere of its operations.

The residents at Jangipur agree that an appreciable improvement has been effected in that portion of the town where the scheme is complete."

By the Hon'ble Babu Akhil Chandra Datta:—

23.

The Boy Scout movement.

(a) Will the Government be pleased to describe the present position of the Boy Scout movement in Bengal?

(b) Is it in the contemplation of the Government to place it on a more satisfactory footing during the current or next financial year?

Answer by the Hon'ble Mr. Goode:—

"(a) and (b) The organization called the Boy Scouts of Bengal is at present independent of the Baden Powell Association which is under a Provincial Commissioner with an Advisory Council, the whole Baden Powell Association in India being under a Chief Commissioner and Council. Larger

Questions and Answers.

provincial independence is desirable with the admission of the Boy Scouts of Bengal to the Baden Powell Association, and this is now under consideration. Government also proposes to recommend that a whole-time officer with a real enthusiasm for the Boy Scouts ideal should be recruited to work under the Provincial Association in training Scout masters for the local troops which already exist and those which, it is believed, will before long be formed in Bengal."

By the Hon'ble Babu Akhil Chandra Datta:—

24.

(a) Have the Government considered the desirability of introducing compulsory drill in schools and colleges? Introduction of compulsory drill in schools and colleges.

(b) Are the Government contemplating taking immediate action in this matter?

Answer by the Hon'ble Mr. Goode:—

"(a) and (b) Government are awaiting the report of the Committee appointed by the Calcutta University to discuss the question regarding the introduction of drill into schools and colleges. Under existing rules, however, drill is compulsory in all Government high schools."

By the Hon'ble Babu Akhil Chandra Datta:—

25.

(a) What steps, if any, have been taken for the establishment of a Technological Institution in Calcutta, about which an assurance was given some time ago? Establishment of a Technological Institution in Calcutta.

(b) Is it in the contemplation of the Government to make the institution an accomplished fact during the current financial year?

Answer by the Hon'ble Mr. Goode:—

"(a) A conference was held yesterday at Government House to consider Government's proposals for establishing a technical school in Calcutta which might ultimately expand into a technological institute. The heads of the chief engineering firms and other leading citizens of Calcutta were present."

(b) Government have every intention of carrying the scheme through as speedily as possible, but this cannot be done within the current financial year."

By the Hon'ble Babu Akhil Chandra Datta:—

26.

(a) Are the Government considering the desirability of increasing the initial pay of assistant surgeons so as to bring it on a par with that of the members of the Provincial Executive Service? Initial pay of Assistant Surgeons.

(b) Will the Government be pleased to explain the reason for the great difference between the initial pay of the two services?

*Questions and Answers.***Answer by the Hon'ble Mr. Payne:—**

“(a) No.

(b) The rates of pay of the Provincial Executive Service have been fixed with due regard to the status of the officers and the nature of the duties which they are required to perform. Government do not consider that any just comparison can be drawn between the case of civil assistant surgeons and the members of that service.”

By the Hon'ble Babu Akhil Chandra Datta:—

27.

Expenditure on the exodus to Darjeeling.

(a) Will the Government be pleased to lay on the table a statement of the expenditure involved in the exodus to Darjeeling during the last five years?

(b) What reduction of expenditure, if any, was made after the meeting of the Bengal Legislative Council held at Dacca on August 1917?

Answer by the Hon'ble Mr. Payne:—

“(a) A statement of the annual expenditure on account of the move to Darjeeling for the years 1914-1918, is laid on the table. The figures for 1919 are not yet available.

(b) The expenditure, which in 1916 amounted to Rs. 1,02,767, was reduced in 1917 to Rs. 84,084 and in 1918 to Rs. 74,563.”

Statement referred to in the answer by the Hon'ble Mr. PAYNE to question No. 27 (unstarred) asked by the Hon'ble BABU AKHIL CHANDRA DATTA at the Council Meeting of the 19th November, 1919, showing the expenditure involved in the exodus to Darjeeling during the last five years.

Year.					Cost. Rs.
1914	...	...	...	...	68,749
1915	...	...	...	...	91,843
1916	...	...	...	...	1,02,767
1917	...	...	...	...	84,084
1918	...	...	...	...	74,563

By the Hon'ble Maulvi A. K. Fazl-ul-Haq:—

28.

Postings and promotions to grades I to IV of the Subordinate Educational Service.

Will the Government be pleased to state in a tabulated form—

- (i) the number of new postings and special promotions in grades I, II, III and IV in the Subordinate Educational Service;
- (ii) the number of posts sanctioned for new postings and special promotions in grades I, II, III and IV;
- (iii) the number of vacancies due to promotions, etc., in grades I, II, III and IV; and
- (iv) the number of officers (who came from the lowest grade) promoted to grades I, II, III and IV;

for the last three years commencing on the 1st of April, 1916, and ending on the 1st of April, 1919?

Answer by the Hon'ble Mr. Goode:—

“A tabular statement is laid on the table.”

Questions and Answers.

Statement referred to in the answer by the Hon'ble Mr. GOODE to question No. 28 (unstarred) asked by the Hon'ble MAULVI A. K. FAZL-UL-HAQ at the Council Meeting of the 19th November 1919, showing the number of postings, promotions, etc., in classes I, II, III and IV during the last 3 years from 1st April 1916.

S. E. S. grade.	Number of new postings.	Number of special promotions.	NUMBER OF POSTS SANCTIONED FOR—		Number of vacancies due to promotions, etc.	Number of officers (who were initially appointed in class VIII) promoted to.
			New postings.	Special promotions.		
1	2	3	4	5	6	7
I ...	1	Nil	1	Nil	13	Nil
II ...	1	Nil	3	Nil	28	3 ^o
III ...	1	Nil	4	Nil	40	8†
IV ...	17	Nil	12	Nil	41	4

* Besides the 3 officers promoted to class II, there is another officer who has also been promoted to class II, with effect from 1st April 1918. This officer was originally appointed to class VIII with effect from 25th March 1902 as Head Pandit of the Hare School but was at once promoted to class IV with effect from 8th September 1907 when he was selected for the post of Lecturer of Sanskrit and Bengali in the Presidency College.

† Besides the 8 officers promoted to class III there is another officer who has also been promoted to class III with effect from 10th September 1918. This officer was originally appointed in class VIII with effect from 15th August 1906 and was at once promoted to class V with effect from 20th September 1907, when he was selected for the post of Assistant in the Physical Laboratory of the Presidency College.

By the Hon'ble Maulvi A. K. Fazl-ul-Haq:—

29.

(a) Will the Government be pleased to state what rules authorize the Director of Public Instruction to create posts carrying different values from Rs. 50 to Rs. 250 outside the Subordinate Educational Service cadre sanctioned by the Secretary of State for India?

Officers of the Subordinate Educational Service grades and outside grades.

(b) Will the Government be pleased to state from what funds the salary of the officers of the outside grade service are drawn?

(c) For what purposes was the outside grades list opened, and when?

(d) Is it a fact that a portion of the costs for maintaining the outside grade officers is met by the sum left undischarged due to the non-filling up of vacancies in the Subordinate Educational Service grades?

(e) Is it a fact that a considerable number of posts from Rs. 35 to Rs. 50 are being created every year against the vacancies in the higher grades of the Subordinate Educational Service?

(f) Are the Government aware that the officers in the outside grades list generally get higher initial pay than that received by equally qualified and equally placed officers in the Subordinate Educational Service grades? If so, what steps are being taken for safeguarding the interests and promotions of the latter?

(g) Will the Government be pleased to state whether it has been decided that the outside grade officers should come into the grades vacancies of the Subordinate Educational Service or in created posts? If so, what has been done to safeguard the interests of those already in the lowest grades and those who have been in service for a considerable number of years?

*Questions and Answers.***Answer by the Hon'ble Mr. Goode:—**

“(a) The Director of Public Instruction is not competent to create posts of this kind.

(b) From the Provincial Revenues.

(c) The list of officers outside the graded services was prepared to enable this office to deal with questions relating to these officers in a convenient manner. The list was first published in August, 1902.

(d) No.

(e) No.

(f) The initial pay of an officer is regulated by his qualifications and no distinction is made between posts inside and outside the grades.

(g) In view of the reply to (f) it is perfectly just that officers appointed outside the grades should have the same prospects of promotion as those appointed inside the grades.”

By the Hon'ble Maulvi A. K. Fazl-ul-Haq:—

30.

Postings of outsiders and outside grade officers and special promotions to grade vacancies.

(a) Is it a fact that the Government have decided that the posts of head clerks of the larger offices shall not carry a salary of less than Rs. 100 per month? If so, will the Government be pleased to state why the head clerks of training colleges and of the Dacca Engineering School have not been included in the list of such posts?

(b) Will the Government be pleased to state how many cases of special promotions have been sanctioned for officers in which there is actual teaching work involved and how many to the inspecting officers of the Subordinate Educational Service grades, in the last three years?

(c) Will the Government be pleased to state whether there is any rule which fixes a time-limit for promotion of an officer from one grade to another in the Subordinate Educational Service?

(d) Will the Government be pleased to state whether new posts have been sanctioned by the Government in the grades of the Subordinate Educational Service to provide for special promotions?

(e) Is it a fact that some of the grade vacancies are being absorbed by the recipients of special promotions?

(f) Is it a fact that a large number of vacancies in the Subordinate Educational Service grades, sanctioned by the Secretary of State, are being filled up with new postings, such as lecturers, demonstrators, and others?

(g) Is it a fact that a large number of vacancies in the grades of the Subordinate Educational Service, sanctioned by the Secretary of State, are being utilized by bringing in outside grade officers into the grades?

(h) Are the Government aware that a feeling of discontent and insecurity is prevalent amongst the officers of the Subordinate Educational Service due to the postings of outsiders and outside grade officers and to the scores of recipients of special promotions in the grade vacancies, thus blocking their future prospects and promotions?

Questions and Answers.

(i) Will the Government be pleased to state under what rules the Director of Public Instruction can put in outsiders in the vacancies of the grades, thereby blocking the promotion of officers already in the grades?

Answer by the Hon'ble Mr. Goode:—

“(a) The reply to the first part of the question is in the negative. The second part does not arise.

(b) There has been no case of special promotion to an inspecting officer in the Subordinate Educational Service during the last three years, as officers outside the grades are placed in grade vacancies carrying the same pay as their appointments outside the grade. There was one case of special promotion to a teacher of the Dow Hill School, who was promoted from class VI to class V as a result of an existing vacancy.

(c) The reply is in the negative.

(d) The reply is in the negative.

(e) The Hon'ble Member is referred to the reply given to (b); that is the only case that has occurred.

(f) Lecturers and demonstrators are generally recruited initially on Rs. 125 in class IV of the Subordinate Educational Service and foreman instructors in class II of the same service.

(g) Latterly officers outside the grades with similar qualifications and responsibilities, who are generally on fixed pay, have been brought into the vacancies in the Subordinate Educational Service with a view to giving them chances of promotion.

(h) It is not true that there have been scores of recipients of special promotion in grade vacancies—last year the Director of Public Instruction decided to give equal chances of promotion to graded and ungraded officers, due consideration being given to qualifications and nature of work done. An officer on Rs. 50 outside the grades has thus been considered for promotion to a post of Rs. 60 inside the grades. Similarly a graded officer on Rs. 45 has been given a chance of promotion to the resulting vacancy on Rs. 50 outside the graded service. It was thought that the system adopted would not affect the prospects of promotion of graded officers seriously as the average pay of posts in the Subordinate Educational Service and Lower Subordinate Educational Service combined is Rs. 58·3 as against Rs. 43·7 of ungraded posts.

(i) Under the powers delegated to the Director of Public Instruction, he is competent to appoint, transfer, etc., all officers in the Subordinate Educational Service and those outside the grades whose pay does not exceed Rs. 250 per month.”

By the Hon'ble Rai Debender Chunder Ghose Bahadur:—

31.

(a) Will the Government be pleased to state whether the report of the Medical Service Committee appointed by the Government of India has now been considered by the Bengal Government and is ready to be made public?

Report of the
Medical Services
Committee.

Questions and Answers.

(b) Will the Government be pleased to state whether the petitions of the Civil Assistant Surgeons submitted to the Hon'ble the Surgeon-General with the Government of Bengal have been considered by that authority and whether any recommendation or report made thereon has been submitted to Government?

(c) If so, will the Government be pleased to state when the matter of these petitions is likely to be disposed of by this Government?

(d) Will the Government be pleased to state the reason (if any) why the increment of the pay of the Civil Assistant Surgeons as recommended by the Public Service Commission has been held in abeyance up to date whilst the pay of the officers of the Indian Medical Service and also of the Military Assistant Surgeons and of the Sub-Assistant Surgeons has been increased?

Answer by the Hon'ble Mr. Payne:—

"(a) The report of the Medical Services Committee has been considered by this Government, but the question of its publication rests with the Government of India, by whom the Committee was appointed.

(b) Petitions from Civil Assistant Surgeons in this Presidency asking for an improvement in their pay and prospects have been forwarded to Government by the Surgeon-General with his recommendations and are now under consideration.

(c) There is not likely to be much delay on the part of this Government in dealing with these petitions, but the questions involved are intimately connected with the proposals of the Medical Services Committee, which are now under the consideration of the Government of India, to whom the recommendations of this Government will have to be forwarded.

(d) The consideration of the pay and prospects of Civil Assistant Surgeons has been delayed on account of the recommendations of the Medical Services Committee. The pay of Civil Assistant Surgeons was increased in 1912, and a further increase of pay was given to civil assistant surgeons officiating as Civil Surgeons in 1915. To that extent the question of the further revision of the pay of this service was not as urgent as in some other instances to which priority may have been given."

By the Hon'ble Babu Kishori Mohan Chaudhuri:—

32.

Certain statistics
in regard to
the Presidency,
Dacca and
Rajshahi
Colleges.

Will the Government be pleased to lay on the table a statement showing the contingent grants, grants for laboratories, libraries, common room and games for the Presidency, Dacca and Rajshahi Colleges for the last 10 years?

Answer by the Hon'ble Mr. Goode:—

"The statement is laid on the table."

Questions and Answers.

Statement referred to in the answer by the HON'BLE MR. GOODE to question No. 32 (unstarred) asked by the HON'BLE BABU KISHORI MOHAN CHAUDHURI at the Council Meeting of the 19th November, 1919, shewing the contingent grants, grants for laboratories, libraries, common room and games for the Presidency, Dacca and Rajshahi Colleges for the last ten years from 1909-10 to 1918-19.

Years.	NAME OF COLLEGES.	GRANTS FOR—					REMARKS.
		Contingencies.	Laboratory.	Library.	Common room.	Games.	
1	2	3	4	5	6	7	8
		Rs.	Rs.	Rs.	Rs.	Rs.	
1909-10	Presidency College ...	10,032	29,954	9,513	500	1,222	
	Dacca " ...	3,600	1,750	4,500	250	100	(1) Includes special grant of Rs. 3,000 for Law Books and Rs. 500 for M. A. books.
	Rajshahi " ...	1,750	1,500	300	200	300	
1910-11	Presidency " ...	10,000	21,560	9,500	500	1,656	
	Dacca " ...	4,500	8,595	2,710	250	1,000	
	Rajshahi " ...	2,600	4,500	420	200	250	
1911-12	Presidency " ...	10,624	62,010	9,500	500	1,000	(a) Includes Rs. 40,000 for laboratory fittings.
	Dacca " ...	6,360	8,595	4,585	250	1,000	(2) Includes special grant of Rs. 2,385 for Law Books.
	Rajshahi " ...	2,975	4,506	1,500	85	250	
1912-13	Presidency " ...	10,792	19,560	9,456	500	1,000	
	Dacca " ...	4,950	9,500	4,500	250	1,000	
	Rajshahi " ...	1,200	4,500	2,218	150	250	
1913-14	Presidency " ...	13,837	45,254	9,456	500	1,000	(b) Includes Rs. 26,954 for laboratory fittings.
	Dacca " ...	4,900	8,595	5,000	250	1,000	
	Rajshahi " ...	2,300	4,500	2,000	200	500	
1914-15	Presidency " ...	11,792	28,560	9,456	500	1,000	(c) Includes Rs. 6,725 for laboratory fittings.
	Dacca " ...	5,956	8,595	5,000	250	1,000	
	Rajshahi " ...	4,400	6,700	1,700	200	500	
1915-16	Presidency " ...	11,192	20,860	9,456	500	1,000	
	Dacca " ...	5,956	8,595	5,000	250	1,000	
	Rajshahi " ...	2,900	6,700	1,700	200	500	
1916-17	Presidency " ...	11,372	20,860	9,456	500	1,000	
	Dacca " ...	5,935	8,000	5,300	250	1,000	(3) Includes special grant of Rs. 300.
	Rajshahi " ...	3,306	4,000	1,700	200	1,000	
1917-18	Presidency " ...	11,792	20,860	4,456	500	1,000	
	Dacca " ...	17,994	8,000	5,000	250	1,000	(x) Includes cost of electric current.
	Rajshahi " ...	2,697	4,000	1,700	200	800	
1918-19	Presidency " ...	12,954	20,360	4,456	500	1,000	
	Dacca " ...	18,185	6,500	5,000	250	1,000	
	Rajshahi " ...	4,311	3,200	2,100	200	800	(i) Includes special grant of Rs. 400 for the purchase of Arabic and Persian books.

*Questions and Answers.***By the Hon'ble Babu Surendra Nath Ray:—****33.**Provincialising
the Public
Health Service.

Will the Government be pleased to lay on the table the opinions received from public and local bodies with reference to Circular No. 175-179-T.-San., Municipal Department (Sanitation), regarding the question of provincialising the Public Health Service?

Answer by the Hon'ble Mr. Goode:—

“ The question of provincializing the Public Health Service is still under the consideration of Government, and will be examined by the Committee recently appointed to inquire into the whole organization, which the Presidency possesses, for dealing with public health. In these circumstances, Government are not prepared at present to lay on the table the opinions received from local and other public bodies.”

By the Hon'ble Babu Surendra Nath Ray:—**34.**Formation of
a separate cadre
for Sanitary
Officers.

Will the Government be pleased to furnish a statement showing—

- (i) the number of opinions received in connection with the proposal to form a separate cadre for Sanitary Officers, independent of the control of municipalities and local bodies; and
- (ii) the names of those who have either approved or disapproved of the proposal.

Answer by the Hon'ble Mr. Goode:—

“ (i) and (ii) Eighty-three replies have so far been received and are now under the consideration of Government. At the present stage, Government are not prepared to give the further information desired by the Hon'ble Member.”

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—**35.**Admission of
candidates into
the different
classes of the
various Arts
Colleges.

(a) Will the Government be pleased to state the number of candidates for admission into the different classes of the various Arts Colleges, who either succeeded or failed to gain admission at the commencement of the present session, together with the maximum number of students that is allowed under the terms of affiliation to be admitted into each class?

(b) Will the Government be pleased to make a similar statement in regard to—

- (i) the Sibpur Engineering College, in the College and Apprentice Departments on the Civil and Mechanical sides, respectively;
- (ii) the Campbell Medical School;
- (iii) the Dacca Medical School; and
- (iv) the Dacca School of Engineering?

Answer by the Hon'ble Mr. Goode:—

“ (a) A statement giving such information as is available is laid on the table.

(b) Statements giving such information as is available are laid on the table.”

Questions and Answers.

Statements referred to in the answer by the HON'BLE MR. GOODE to Question No. 35 (unstarred) asked by the HON'BLE BABU BROJENDRA KISHOR RAY CHAUDHURI at the Council meeting of the 19th November, 1919.

STATEMENT A.

NAME OF COLLEGE.		FIRST YEAR CLASS.				SECOND YEAR CLASS.				THIRD YEAR CLASS.				FOURTH YEAR CLASS.					
		Maximum capacity.	No. applied for admission.	No. admitted.	No. refused.	Maximum capacity.	No. promoted and detained.	No. applied for admission.	No. admitted.	No. refused.	Maximum capacity.	No. applied for admission.	No. admitted.	No. refused.	Maximum capacity.	No. promoted and detained.	No. applied for admission.	No. admitted.	No. refused.
Bethune College	...	36	34	29	5*	36	29	1	1	...	18	23	20	3	18	13	2	2	...
Chittagong	..	160	347	150 and 10	197	160	121	45	20	25	70	129	72 and 1	57	70	60	29	13	16
Dacca	..	180	348	192	156	168	148 and 12	19	19	...	160	314	192	122	168	167 and 10	46	46	...
Hooghly	..	100	137	83	54	100	76	5	5	...	65	82	62	20	65	23	17	15	2
Krishnagar	..	140	110	92	18	140	76	16	16	...	85	86	72	14	85	32	19	18	1
Presidency	..	130	444	144	300	165	128	27	24	3	155	497	176	321	200	166	43	36	7
Rajshahi	..	230	324	257	67	225	181	40	33	7	175	260	180	80	190	151	44	38	6
Sanskrit	..	80	74	74	...	50	29	7	7	...	160	150	150	...	80	31	43	43	...
Ananda Mohan	..	230	484	218	...	250	183	61	39	...	80	137	105	...	120	81	45	36	...
Brojo Mohan	..	250	376	241	...	300	223	63	45	...	102	228	112	†	150	99	57	45	...
Daulatpur Hindu Academy	...	285	322	272	50	215	140	52	47	5	80	119	74	45	65	41	29	24	5
Diocesan College	...	34	38	34	4	24	21	3	3	...	18	20	20	...	18	12	...	...	...
Edward	..	175	181	176	5	150	121	31	30	1	This is a second grade college.								
Jagannath	..	262	352†	262	90‡	226	75	60	51	9	160	210	160	30‡	160	143	25‡	17	8
Midnapore	..	150	113	113	...	150	95	19	17	2	This is a second grade college.								
Scottish Churches	..	280	515	269	246	560	309	281	273	8	300	552	289	263	620	304	335	305	30
Serampore Missionary	..	...	...	97	...	...	89	...	18	...	...	...	55	...	...	40	...	13	...
St. Paul's Cathedral Mission College.	...	65	...	73	...	65	35	18	15	3	65	...	62	...	65	31	...	34	...
St. Xavier's College	...	300	700	326	374	300	254	80	58	22	130	191	131	60	95	75	38	28	10‡
Victoria (Comilla)	..	300	506	322	184	300	259	56	37	19	125	152	116	36	125	80	39	22	17
Victoria (Narail)	..	80	74	74	...	80	58	14	14	...	This is a second grade college.								
Wesleyan Mission	..	130	145	130	15	150	112	48	38	10	70	70	70	...	80	47	22	21	1
Bagerhat	..	150	280	154	126	150	116	27	23	4	This is a second grade college.								
Bangabasi	..	750	...	714	200	900	585	...	284	200	300	...	255	200	150	104	...	48	50
Burdwan Raj	..	150	73	73	...	150	75	11	11	...	This is a second grade college.								
Carmichael (Rangpur)	..	300	236	236	...	300	148	44	38	...	150	161	150	...	150	55	41	36	...
Central	..	200	...	228	...	400	239	113	113	...	This is a second grade college.								
City	..	450	554	404	150	450	...	182	162	20	510	545	465	80	525	...	202	104	20**
Krishna Ch. (Hetampur)	..	100	21	21	...	160	30	7	7	...	This is a second grade college.								
Loreto House for Girls	...	10	3	3	...	10	3	...	...	...	Ditto.								
Rajendra College	...	250	185	185	...	250	160	13	9	4	Ditto.								
Ripon	..	450	...	450	...	600	368	150	150	...	330	330	330	...	480	365	175	175	...
South Suburban	..	225	225	225	...	225	182	50	50	...	225	218	218	...	150	72	75	75	...
Uttarpara	..	120	...	112	25	80	49	...	18	...	This is a second grade college.								
Vidyasagar	..	300	...	300	...	450	285	...	149	...	321	...	321	...	480	315	...	183	...
Krishnath	..	346	461	346	115	450	294	113	93	20	180	230	180	50	295	100	122	103	19
		7,418	7,662	7,089	2,381	8,219	5,409	1,680	1,017	362	4,034	4,704	4,041	1,401	4,604	2,562	1,455	1,480	19

* For want of hostel accommodation.

† Cannot be ascertained.

‡ Approximate.

§ The college has decided to admit about 300 students. The maximum capacity of each class has not been stated.

** All these figures are approximate.

*Questions and Answers.***STATEMENT B.**

Name of institution.	Maximum capacity.	No. applied for admission.	No. appeared at the admission examination.	No. qualified at the admission examination.	Letters of admission issued.	No. admitted.	REMARKS.
1	2	3	4	5	6	7	8

1st year Upper Subordinate Class.

Dacca School of Engineering.	40	211	50	The maximum limit has been exceeded for this session under the special orders of Government.
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1st year Sub-Overseer Class.

Dacca School of Engineering.	60	180	70	Ditto.
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STATEMENT C.**Engineering Department (1st year Class).**

Sibpur Civil Engineering College.	24	88	65	60	28	23	Admissions of November 1919.
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Apprentice Department—A.—Upper Subordinate.

Sibpur Civil Engineering College.	20	23	No admission test held	...	21	16	Ditto.
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Apprentice Department—B.—Mechanical and Electrical Engineering and Mining.

Sibpur Civil Engineering College.	65	132	No admission test held.	...	73	67	Admissions of February 1919.
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STATEMENT D.

School.	Vacancies.	Candidate.	No. admitted.
Campbell Medical School 150	1,071	173
Dacca Medical School ...	... 171	658	163

Questions and Answers.

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

36.

(a) Have the Government made any inquiries into the prospects of the fish-curing industry and fish-oil and fish-guano-manufacture in Bengal? Prospects of the fish-curing industry, etc.

(b) If so, will the Government be pleased to make a statement showing the results of any such inquiries that have been made in recent years?

Answer by the Hon'ble Mr. McAlpin:—

“(a) and (b) Yes. The Hon'ble Member is referred to paragraphs 17 and 18 of the Annual Report of the Department of Fisheries, Bengal and Bihar and Orissa for the year 1918-19, a copy of which is placed on the library table.

Investigations regarding fish-oil and fish-guano manufacture were made as early as 1909-10 in connection with the trawling of the Bay of Bengal by the steam trawler *Golden Crown*. The investigations have shown that marine fish is rich in fish-oil and fish manure. The development of industries in such bye-products awaits the development of the marine fisheries by commercial agencies. The information required will be found in paragraphs 109-114 of report on the progress of enquiry into the fisheries of Bengal submitted by Mr. Ahmad in the year 1910. Copies of these paragraphs are laid on the library table.”

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

37.

Will the Government be pleased to make a statement showing the achievements of the Department of Fisheries in respect of— Department of Fisheries.

- (i) the organisation of trade in fish;
- (ii) the extension of financial facilities to fishermen;
- (iii) the opening out of existing fisheries; and
- (iv) the education and training of fishermen, since the department was removed from the Department of Agriculture and established as a separate body?

Answer by the Hon'ble Mr. McAlpin:—

“(i), (ii) and (iii) The Hon'ble Member is referred to paragraph 15 of the Annual Report of the Department of Fisheries for 1917, out of which his questions arise. He will find there that the organisation of trade in fish, the extension of financial facilities to fishermen, and the opening out of fisheries is not dependent on Government alone but on the willingness of the moneyed classes to promote the organisation, capital and the banking facilities necessary to develop the industry. He will also find that to enable the Department to deal adequately with such problems an increase in staff was necessary. Government have, therefore, appointed three District Fishery Officers as an experiment this year and it is proposed to augment the number next year; but it is necessary to proceed slowly and learn by experience. The Hon'ble Member is also referred to the answer to his question No. 39.

(iv) The matter is under consideration. Special facilities are being given at one primary school for the education of the children of fishermen in the district of Dacca and a special primary school has also been established for the same purpose.”

*Questions and Answers.***By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—****38.**Monopoly of
the Calcutta
fish trade.

Is there any truth in the statement that the whole of the Calcutta fish trade is monopolised by three or four persons, and that the trade is so organised as to prevent the possibility of retail dealers gaining any success in the fish business in Calcutta?

Answer by the Hon'ble Mr. McAlpin:—

"The trade in Calcutta is in the hands of a limited number of persons, and an outsider finds it difficult to start a business successfully."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—**39.**Co-operative
societies among
fishermen.

(a) Will the Government be pleased to make a statement showing the co-operative societies that have been formed up to date amongst the fishermen in the several districts of the Presidency?

(b) How have they succeeded in excluding the middlemen?

Answer by the Hon'ble Mr. McAlpin:—

(a) A statement is laid on the table.

(b) The societies enumerated above are practically credit societies. Attempts made to induce the members to combine to sell their fish have not been successful. Some of the societies, however, have now taken a lease of their fisheries direct and have to this extent excluded middlemen."

Statement referred to in the answer by the Hon'ble MR. MCALPIN to question No. 39 (unstarred) asked by the Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI at the Council meeting of the 19th November, 1919, showing the Co-operative Societies formed amongst fishermen in Bengal.

Name of district.	Previous to 30th June, 1918.	Since 30th June, 1918 to 10th November, 1919.	Total.
Murshidabad	2	2	4
Midnapore	1	...	1
Khulna	3	1	4
Nadia	1	...	1
Howrah	4	...	4
Faridpur	1	1	2
Dacca	1	...	1
Bakarganj	2	...	2
Tippera	1	...	1
Pabna	8	2	10
Malda	1*	...	...
	25	6	30

* Since cancelled.

Questions and Answers.

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

40.

(a) Have the Government inquired into the general complaint of fishermen against railway servants insisting on gratuities before booking and despatching consignments of fish?

Alleged demand of gratuities by railway servants from fishermen.

(b) If so, what steps, if any, have been taken by Government in the matter?

Answer by the Hon'ble Mr. McAlpin:—

“(a) and (b) The complaints were of a general nature and as no specific cases could be cited it was not possible to take any steps in the matter.”

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

41.

Will the Government be pleased to make a statement showing what practical steps have been taken to organize the weaving industry of the Presidency on co-operative lines?

Organisation of the weaving industry on co-operative lines.

Answer by the Hon'ble Mr. McAlpin:—

“The Hon'ble Member is referred to the note on the subject recorded by the Registrar of Co-operative Societies, Bengal, which was laid on the library table in reply to the starred question No. VI put by the Hon'ble Rai Radha Charan Pal Bahadur at the Council meeting of the 3rd July, 1919. A copy of the note is again laid on the library table.”

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

42.

(a) Are the Government in a position to state whether it is a fact that the results obtained by the Anti-malarial Societies at Panihati and Sukchar encourage the application of the principle of co-operation to village sanitation in Bengal?

Application of the principle of co-operation to village sanitation.

(b) If so, are the Government contemplating the formation of such societies in large numbers in other parts of the Presidency also?

Answer by the Hon'ble Mr. Goode:—

“(a) The reply is in the affirmative. The Hon'ble Member is referred to paragraph 63 of the Report on Sanitation in Bengal for 1918.

(b) The Hon'ble Member is referred to the reply given to the Hon'ble Rai Radha Charan Pal Bahadur's question No. 64 on the 3rd July, 1919. The formation of new co-operative societies of this kind must depend mainly on the initiative being taken by the villagers themselves.”

*Questions and Answers.***By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—****43.**Co-operative
stores.

- (a) How many co-operative stores are there in the Presidency?
- (b) Is it a fact that the prevailing high prices have created a desire for such stores in several districts and subdivisional headquarters?
- (c) If so, what steps are the Government taking to develop co-operative distribution in this connection?

Answer by the Hon'ble Mr. McAlpin:—

“(a) On the 8th November, 1919, there were 33 co-operative stores in the Presidency and 7 agricultural purchase and sale societies which also carry on the business of co-operative stores.

(b) It is a fact that a desire for such stores has grown up in several districts and subdivisional headquarters during the last 12 months. Presumably the prevailing high prices were the cause.

(c) The number of stores rose in the year ending 30th June, 1919, from 8 to 18. Since the 1st of July, 1919, the number has risen to the figures given in answer to the first part of the question. The increase is largely the result of propaganda by the officers of the Co-operative Department. The Registrar of Co-operative Societies and his officers have brought the advantages of co-operative distribution to the notice of the public in all parts of the Province. A bureau of information has been opened in the office of the Registrar of Co-operative Societies and twice a week bulletins are issued to societies giving the Calcutta rates for commodities which are likely to be required in the mufassal. Every facility is being given by the Co-operative Department for organization of co-operative stores in all parts of the Presidency; but at the same time applications are being strictly scrutinised with a view to reducing the possibility of failures.”

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—**44.**Co-operative
milk societies.

(a) Is it a fact that the co-operative milk societies in the Barasat Subdivision have, comparatively speaking, been a success?

(b) Are the Government considering the desirability of forming more societies of this kind and of taking such steps as may be necessary to ensure their success?

Answer by the Hon'ble Mr. McAlpin:—

“(a) Yes.

(b) Yes.”

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—**45.**Co-operative
Societies in
Bengal.

Will the Government be pleased to make a statement showing the number of co-operative societies of all kinds in Bengal?

Answer by the Hon'ble Mr. McAlpin:—

“The total number was 4,533 on the 9th November, 1919.”

Questions and Answers.

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

46.

Will the Government be pleased to consider the advisability of asking the Government of India to extend the scope of the proposed inquiry into the prospects of cane sugar, so as to include the date-sugar-industry, which is of particular interest to this Presidency?

The inquiry into the prospects of cane sugar.

Answer by the Hon'ble Mr. McAlpin:—

“The matter has already engaged the attention of Government.”

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

47.

(a) Will the Government be pleased to state whether there was any defalcation in the Sarail Ward's Estates during the management of Mr. Haliday?

Defalcation in the Sarail Ward's Estates.

(b) If so, what amount was defalcated and when did the defalcation come to light?

(c) In what circumstances was the money defalcated and what was the manager's responsibility?

(d) Was anybody punished for it?

(e) What was the manager's salary before the occurrence and what after it?

(f) When was his salary increased?

Answer by the Hon'ble Mr. McAlpin:—

“(a) Yes; there was one case of embezzlement by a law muharrir of the estate.

(b) Rs. 2,177-13-6. The defalcation was brought to light during the latter part of 1915.

(c) The Estate pleader entrusted with the work of execution of decrees obtained by the estate allowed his muharrir to receive money from the judgment debtors. The muharrir instead of crediting the money realized misappropriated it. The Estate pleader, not the manager, was directly responsible.

(d) The law muharrir was criminally prosecuted and convicted.

The money defalcated was deposited in the Treasury by the Estate pleader.

(e) Rs. 700 per mensem both before and after the occurrence.

(f) The manager's initial pay was Rs. 550; it was raised to Rs. 700 by the Eastern Bengal and Assam Government with effect from 1st December, 1909.”

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

48.

Will the Government be pleased to state whether it is a fact that after his assumption of charge of the Dacca Nawab's estate, Mr. Meyer discharged some old officers of the said estate of good standing? If so, for what reasons?

Dismissal of officers employed in the Dacca Nawab's estate.

*Questions and Answers.***Answer by the Hon'ble Mr. McAlpin:—**

" Since his assumption of charge of the Dacca Nawab's estate, Mr. Meyer has discharged 7 officers of the estate, three for embezzlement of estate money, two for intemperance and neglect of duty, and two for unsatisfactory work and conduct."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

49.

The Mathurapur
Ward's Estate.

(a) Is it a fact that several charges of criminal offences were brought against many old employees of the Mathurapur Ward's Estate in Maldah within the last eighteen months or so?

(b) What were the charges and how many employees were accused, and how did the cases terminate?

(c) Did the Court of Wards sanction the costs of the defence, and what did they amount to?

(d) What disciplinary action, as referred to in the answer given to my unstarred question of 4th April, 1918, did the manager and Collector of the district take to control the employees of the said estate and to prevent their misconduct?

Answer by the Hon'ble Mr. McAlpin:—

" (a) Four criminal cases against seventeen peons of the estate were instituted in March and April 1918. No criminal charges have been brought since then.

(b) (i) Sections 147 and 323 of the Indian Penal Code—10 accused, ended in conviction.

(ii) Sections 395, 325 and 323 of the Indian Penal Code—3 accused convicted by Sessions Judge, acquitted by High Court.

(iii) Sections 447 and 426 of the Indian Penal Code—2 accused, ended in conviction.

(iv) Section 147 of the Indian Penal Code—2 accused convicted by Deputy Magistrate, acquitted by Sessions Judge.

(c) At the time the Court of Wards was in charge only of 6 annas of the estate, and bore its proportionate share of the cost of defending the cases. The amount paid on this account cannot now be ascertained as the estate has been released.

(d) Employees accused of criminal offences were placed under suspension, and those convicted were dismissed. Since the institution of the cases referred to, there have been no complaints of misconduct, and no further disciplinary action has been necessary."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

50.

Closing of the
charitable
dispensary at
Mathurapur.

(a) Is it a fact that there was a charitable dispensary with an assistant surgeon in charge of it, at Mathurapur, in Maldah?

(b) What led to the closing of this dispensary?

(c) Is it a fact that the services rendered by this dispensary in fighting malaria were greatly appreciated by the authorities?

(d) When and at whose instance was the Mathurapur dispensary closed?

*Questions and Answers.***Answer by the Hon'ble Mr. Payne:—**

“(a) There was a charitable dispensary at Mathurapur in the district of Malda with a private medical practitioner, and not an assistant surgeon, in charge.

(b) and (d) This dispensary was a private one established and supported by Mr. Hennessy, the proprietor of the Mathurapur estate. It also received a grant from the District Board. In February, 1916, the doctor in charge obtained an appointment under the Assam Government and resigned his post, and Mr. Hennessy intimated that he did not propose to maintain the dispensary any longer. It was closed from the 1st March, 1916.

(c) The dispensary did useful work, but not more so than the other dispensaries in the district.”

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

51.

(a) Is it a fact that in the report and scheme prepared by the late Rai Jamini Mohan Das Bahadur, the loan given to the Maharaja Bahadur Sir P. C. Tagore, kt., was proposed to be redeemed in about 9 years?

Loan to the
Maharaja
Bahadur Sir
P. C. Tagore,
kt.

(b) On taking charge of the Tagore mortgaged estate, did Mr. Mackay submit to Government any scheme of management showing in how many years the redemption of the loan could be made possible?

(c) Were the cost of the maintenance of a steam-launch, the doubling of the pay of the naibs and the payment of Puja bonuses, green-boat and horse-allowances, over and above fixed monthly travelling allowances to the naibs, shown in Mr. Mackay's scheme?

(d) What steps have the Government taken to ensure economical management of the Maharaja Bahadur Tagore's estate?

(e) Are the affairs of the estates periodically inspected by any officer of the Government?

(f) Are the accounts audited by examiners of local accounts, and is a report submitted to the Government?

Answer by the Hon'ble Mr. McAlpin:—

“(a) No.

(b) No, but when the second loan of rupees ten lakhs was sanctioned an estimate of repayment was prepared and approved by Government.

(c) The Hon'ble Member is referred to the answer given to clauses (d) to (i) and (k) of a question relating to the affairs of the Tagore Raj mortgaged estate asked by him at the meeting of the Council held on the 3rd September, 1919.

(d) The appointment of a competent Manager.

(e) The properties are situated in several districts. No special officer is deputed to inspect them, but the District Officers are frequent visitors to the portions within their respective jurisdictions. The Commissioner of Dacca exercises general supervision and scrutinises expenditure.

(f) No, but the accounts are audited monthly by a qualified Auditor and an annual report is submitted to Government embodying the audited figures for the past year.”

*Questions and Answers.***By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—****52.**

Examination of
accounts of
certain estates
under the Court
of Wards.

Will the Government be pleased to state whether the accounts of the Karatya, Sarail, Bhowal and Mathurapur estates under the Court of Wards are examined by the examiners of local accounts and whether the reports of the examiners are submitted to Government?

Answer by the Hon'ble Mr. McAlpin:—

“ The accounts of the Karatya, Sarail and Bhowal estates are audited by the Examiner of Local Accounts, whose reports are submitted to the Board.

The Mathurapur estate is not now under the Court of Wards.”

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—**53.**

Provision of
proper
meteorological
arrangements in
Eastern Bengal.

(a) Is it a fact that the Eastern Bengal districts have frequently suffered from disastrous cyclones?

(b) Are the Government considering the advisability of providing proper meteorological arrangements at a suitable centre in Eastern Bengal?

Answer by the Hon'ble Mr. McAlpin:—

“ (a) The answer is in the negative.

(b) No. The Meteorological Department is under the Government of India.”

By the Hon'ble Babu Bhabendra Chandra Ray:—**54.**

Development of
Kalimpong as
a hill-station.

(a) What progress has been made in the schemes for the development of Kalimpong as a hill-station?

(b) How many building sites are being offered on lease at Kalimpong, and on what terms?

(c) How many applications have been received from the Indian and other communities respectively for building houses on the terms offered by Government?

(d) Are the Government aware of the opinion that has been expressed that the terms and conditions of lease are not generally considered to be fair?

(e) Are the Government considering the desirability of modifying the said terms and conditions?

Answer by the Hon'ble Mr. McAlpin:—

“ (a) The resumption of 756 acres on the northern portion of the Rinkingpong ridge is practically complete and steps are being taken to resume 1,102 acres on the southern portion of the ridge.

The allocation of sites in the northern portion will be made shortly.

A detailed scheme of water-supply has been approved, and a sum of 2 lakhs has been provided for expenditure on this account during the present financial year.

Questions and Answers.

Arrangements are being made for the construction and improvement of roads, and for the preparation of a drainage scheme.

(b) On the northern portion of the ridge, 252 building sites are available. They will be leased for a term of 90 years, subject to certain broad conditions. The rates of premium will vary from Rs. 500 to Rs. 1,500 per acre, and the rates of ground rent from Rs. 50 to Rs. 100 per acre per annum according to the position and suitability of the site. The rates of ground rent are subject to revision after each period of 30 years.

A pamphlet embodying the main features of the scheme and the terms of the lease has been available to the public for several months and a copy of it is laid on the library table.

(c) Three hundred and twelve applications have been received up to date for building sites, of which 228 are from Indians and 84 from other communities.

(d) Government are aware that letters have been published in the press criticising the terms and conditions of the lease.

(e) No."

By the Hon'ble Babu Bhabendra Chandra Ray:—

55.

(a) Has the attention of the Government been drawn to the grievances of the travelling public in regard to the Khulna-Bagerhat Railway, as published in the newspapers? The Khulna-Bagerhat Railway.

(b) Are the Government aware of the serious inconveniences suffered by the travelling public on the said railway, arising mainly from the following circumstances—

- (i) the lower class carriages are unprotected and unsafe;
- (ii) the roofs leak in the rains, and the canvas coverings are insufficient for protecting passengers from the heat and rain;
- (iii) there are no waiting-rooms for upper class passengers and for *purdanashin* ladies at several stations;
- (iv) there are no platforms;
- (v) the number of carriages for females of the 3rd class is insufficient, and there is no special accommodation for upper class female passengers;
- (vi) the charges for the ferry are too much, especially for the 3rd class; and
- (vii) no water-closets are provided for passengers at the stations, nor for male passengers in the 3rd class carriages?

(c) What action, if any, are the Government taking for the removal of these grievances?

Answer by the Hon'ble Mr. Cowley:—

"(a) Yes.

(b) The replies are as follows:—

- (i) The type of carriage in use on the Khulna-Bagerhat Railway is similar to that adopted on several other light railways of narrow gauge, and experience has not shown that such carriages are insufficiently protected or unsafe.

Questions and Answers.

- (ii) Carriages designed for a light railway are necessarily of light construction and canvas coverings are generally considered sufficient. Some leakage may have occurred but the Railway authorities are giving this matter their attention.
- (iii) The Khulna-Bagerhat Railway is a small light railway of a total length of $19\frac{1}{2}$ miles. The number of upper class passengers for six months amounted to 1,492 in all. In the opinion of the Railway Administration traffic of such proportions does not appear to justify the provision of waiting-rooms at present. There are waiting-halls at Rupsa East, Bahirdia, Telidanga, Jatrapur and Bagerhat.
- (iv) Platforms at rail level have been constructed at all stations. In view of the lowness of the carriages, the Railway Administration does not consider that raised platforms are necessary.
- (v) Reply is embodied in the reply to question (c).
- (vi) The charges for the ferry service are levied by the Steamer Companies and are not considered excessive. They are—

			Rs. A. P.		
Passengers	0 2 6	each.
Luggage and Parcels	0 4 0	per maund.
Goods	0 0 8	per maund.

- (vii) A latrine has been provided at Rupsa East Station and another is being constructed at Bagerhat Station. Should traffic increases warrant, and funds permit, the Railway Administration is prepared to provide others.

(c) In view of the fact that the Khulna-Bagerhat Railway is a light railway of only $19\frac{1}{2}$ miles in length and that the journey from Khulna to Bagerhat takes only 2 hours, and further that it is a new line recently opened, it does not appear to be quite reasonable to expect that facilities such as exist on large railways can be immediately provided. As the line becomes better established and revenue increases, the Railway authorities will doubtless gradually improve the present condition of the line."

By the Hon'ble Babu Bhabendra Chandra Ray:—

56.

The cyclone in East Bengal.

(a) Is it a fact that the daily weather report and the chart issued by the Director-General of Observatories at Simla differed materially, as regards the state of the weather on the 24th September, 1919, at Saugor Island and other places in the Presidency of Bengal, from those of the Calcutta Meteorologist?

(b) Will the Government be pleased to lay on the table the Indian Daily Reports, dated the 22nd, 23rd, 24th and 25th September 1919?

(c) Is it a fact that the daily weather report and chart of the 24th September, 1919, issued by the Director-General of Observatories at Simla, indicated the approach of a storm to places in the Presidency of Bengal, while those of the Calcutta Meteorologist did not do so?

(d) At what hour were observations taken by the Calcutta Meteorologist and when was the danger signal hoisted at Calcutta and the Hooghly ports,

Questions and Answers.

and when were those signals communicated to the inland river stations in Bengal on the 24th September?

(e) Is it a fact that at 2 P.M., on the 24th September, 1919, an observation was taken by the Calcutta Meteorological Officer relating to the state of the weather?

(f) If so, will the Government be pleased to lay on the table the report that was received from the Meteorological Officer at Alipur?

(g) Will the Government be pleased to state at what hours the "danger warning" about the storm of the 24th September was received by each of the inland river stations?

(h) Is it a fact that the "danger warning" was not received by some of the inland river stations?

(i) Are there any fixed hours of attendance for the Meteorologist at the Meteorological office at Alipur?

(j) If so, will the Government be pleased to state the hours of such attendance?

Answer by the Hon'ble Mr. McAlpin:—

"(a) and (c) The Indian Daily Weather Report indicated the approach of a storm; the Calcutta Daily Weather Report indicated the approach of a depression. There was no material difference.

(b) The Indian Daily Weather Reports in question are laid on the library table.

(d) (1) The Calcutta Meteorologist does not take observations; but on the 24th September special observations were called for by him every six hours beginning at 14 hours from—

Chittagong.

Noakhali.

Barisal.

Saugor Island.

Sandheads.

Calcutta.

Balasore.

Cuttack.

Hukitala.

Puri.

Gopalpur.

(2) Danger signals were hoisted on the 24th September at—

Calcutta, at 18 hours 40 minutes.

Budge Budge, at 19 hours 15 minutes.

Diamond Harbour at 18 hours 53 minutes.

Questions and Answers.

(3) Danger signals were communicated to the inland river stations in Bengal on 24th September as under :—

<i>Station.</i>	<i>Time.</i>
Barisal	17 hours 44 min.
Goalundo	17 hours 39 min.
Narayanganj	17 hours 39 min.
Noakhali	17 hours 46 min.
Chandpur	17 hours 39 min.
Khulna	17 hours 39 min.
Nikli	17 hours 52 min.
Bhairab	17 hours 52 min.
Lohajang	17 hours 52 min.
Gournadi	17 hours 52 min.
Aralia	17 hours 52 min.
Mirzaganj	17 hours 57 min.
Madaripur	17 hours 57 min.
Gopalganj	17 hours 57 min.
Godagari	17 hours 57 min.
Rampur Boalia	17 hours 57 min.
Sara	17 hours 57 min.
Serajganj	17 hours 57 min.
Kakchira	17 hours 57 min.
Tushkhali	17 hours 57 min.

(e) and (f) No such observation was taken by the Calcutta Meteorologist. The special observations called for by him and beginning at 14 hours were, however, received on the 24th September as stated below.

<i>Station.</i>	<i>Time.</i>
Chittagong	14 hours 54 min.
Noakhali	14 hours 39 min.
Barisal	14 hours 35 min.
Sandheads	19 hours 8 min.
Calcutta	14 hours.
Balasore	14 hours 56 min.
Cuttack	14 hours 36 min.
Hukitala	14 hours 27 min.
Puri	14 hours 38 min.
Gopalpur	14 hours 57 min.
Saugor Island	Not received.

It is not the practice to issue weather reports on such special observations. The order to hoist " Danger Signals " indicated in answer (d) (2) and (3) above was the action taken on these special observations.

*Questions and Answers; The Calcutta Cruelty to Animals Bill, 1919.**Sir Henry Wheeler.*

(g) and (h) The " Danger Signal " was received by the inland ports at the times given below :—

<i>Port.</i>	<i>Time.</i>	
Barisal	20 hours 5 min.	of 24th September.
Goalundo	19 hours 30 min.	of 24th September.
Narayanganj	19 hours 36 min.	of 24th September.
Noakhali	18 hours 11 min.	of 24th September.
Chandpur	19 hours 15 min.	of 24th September.
Nikli	19 hours 8 min.	of 24th September.
Bhairab	20 hours	of 24th September.
Madaripur	22 hours	of 24th September.
Godagari	20 hours 45 min.	of 24th September.
Sara	21 hours	of 24th September.
Serajganj	20 hours 15 min.	of 24th September.
Khulna	13 hours 45 min.	of 25th September.
Lohajang		of 27th September.
Gopalganj		of 27th September.
Aralia	7 hours	of 25th September.
Mirjaganj	18 hours	of 25th September.
Tushkhali		of 27th September.
Katchira		of 27th September.

The delay in the delivery at certain stations was due to the interruption of telegraphic communication caused by the cyclone.

(i) and (j) There are no fixed hours. The practice has been for the Calcutta Meteorologist to be present to write the Calcutta Daily Weather Report, issue daily signals and wireless messages as soon as the daily 8 A.M. observations have been received and reduced. When he calls for special observations and these have all been received and reduced, he attends and issues whatever warning telegrams such observations indicate as necessary."

LEGISLATIVE BUSINESS.**LIST OF BUSINESS—ITEM No. 3.****THE CALCUTTA CRUELTY TO ANIMALS BILL, 1919.**

The Hon'ble Sir Henry Wheeler moved that the Calcutta Cruelty to Animals Bill, 1919, be referred to a Select Committee consisting of the Hon'ble Mr. Stevenson-Moore, the Hon'ble Mr. G. N. Roy, the Hon'ble Mr. Payne, the Hon'ble Rai Radha Charan Pal Bahadur, the Hon'ble Mr. Phelps, the Hon'ble Maulvi A. K. Fazl-ul-Haq, the Hon'ble Babu Surendra Nath Ray and the mover, with instructions to submit their report in time for its presentation in Council at the meeting in December next.

He said :—

" My Lord, I had the honour to introduce this Bill at the meeting of the 12th August last, and I then explained the general nature of its provisions. Since then the Bill has been circulated for opinion, and a certain number of replies have been received which, I believe, are in the hands of Hon'ble Members. Two or three, I am told, are still outstanding. A perusal of the replies indicates, as may have been reasonably anticipated, that no exception is taken to the general principles and objects of the Bill. Comments are made on points of detail and suggestions are offered for improvement, but these are matters which can be gone into by the Select Committee, and as on the question of principle, which is at the moment our main concern there is general agreement, I do not propose to take up the time of the Council further by a discussion in detail of particular provisions of the Bill."

The motion was put and agreed to.

*The Eastern Frontier Rifles (Bengal Battalion) Bill, 1919.**Sir Henry Wheeler.***THE EASTERN FRONTIER RIFLES (BENGAL BATTALION)
BILL, 1919.****LIST OF BUSINESS—ITEM No. 4.**

The Hon'ble Sir Henry Wheeler moved for leave to introduce a Bill to amend the law relating to the Regulation of the Eastern Frontier Rifles (Bengal Battalion).

He said :—

“My Lord, this Bill has reference to the force which is generally known as the Dacca military police. In addition to the ordinary civil police as found at *thanas*, and in addition to the armed branches of that civil police which are concentrated in small numbers at the headquarters of districts, experience of many years has shown the necessity in Bengal of keeping in readiness, for use in times of emergency, a small well disciplined mobilised force which can be subjected to a higher degree of discipline, and therefore attain a higher degree of efficiency, than the ordinary civil police. That force is known as the military police, and in nature it partakes more of a military than a civil character. In Bengal it has been in existence, in one form or another, for many years. To go no further back than the last redistribution of the province in 1912, it was then constituted on a basis of six companies. In 1918, owing to its being found that the strength was insufficient to meet the duties devolving upon it, a seventh Company was added, and the force now comprises about 750 officers and men. It is distributed thus : 5 companies at Dacca, one at Hooghly and one at Buxa ; and it is comprised of Gurkhas, who are in the minority, and of Jhāruas.

As I have said, the employment of military police in Bengal and in the adjacent province of Assam is no new thing. It was formerly—i.e., before the days of the first partition—regulated by what was known as the Bengal Military Police Act (V of 1892) and the Assam Military Police Regulation of 1890. After the first partition and the creation of the Government of Eastern Bengal and Assam, the headquarters of what may be said to have represented the old Bengal force was placed at Dacca, with detachments at Barisal, Silchar and the Garo Hills. In addition there were other more distinctively Assamese battalions employed in the upper districts of Assam. We kept the residue of the companies, the most important being, I think, at Bhagalpur and Ranchi. It was not long before the Eastern Bengal and Assam Government felt the obvious inconvenience of having two bodies of military police within their boundaries governed by two different Acts, namely, the Assam police governed by the old regulation of 1890, and the new force at Dacca governed by the old Bengal Act of 1892. The men were liable to be employed together and also, I believe, were liable to be transferred from one battalion to another. In consequence of that fact the Eastern Bengal and Assam Government passed what was known as the Eastern Bengal and Assam Military Police Act of 1912, which was applicable to all the military police within their borders, thus restoring uniformity of treatment, and after the second partition that Act was brought into force in the present province of Bengal with effect from the 1st October, 1912, by notification under the Bengal, Bihar and Orissa and Assam Laws Act, 1912. So at the present moment we are governed in Bengal by the Eastern Bengal and Assam Military Police Act, as in the adjacent province, which is now Assam only. That is the existing position.

In 1917 the Assam Government moved the Government of India to be allowed to adopt a more distinctly military nomenclature in designating

*The Eastern Frontier Rifles (Bengal Battalion) Bill, 1919.**Sir Henry Wheeler.*

their force, which they wished to call the Assam Rifles. The reasons for that request were, briefly, that they wished to enhance the status of the force when it was on military duty. They had found that when these men were employed along with regular troops on the Frontier—and, incidentally, had done well and been commended by inspecting officers—there was a tendency on the part of regular soldiers to look down upon them as being merely policemen, and not *pukka* soldiers, and that re-acted prejudicially on the force. By removing that defect, they thought also that it would be easier to get military officers to join the force, and it is on the presence of military officers that discipline very largely depends, while it was found that the feeling of all ranks was very keen that they should be regarded in the eyes of the public as what they were, *i.e.*, more soldiers than civil police. The Government of India accepted the argument, but drew attention to the state of the law which would require amendment in order to enable a new name to be given to the force. They pointed out that if the local administration was going to amend the Act, it had better at the same time get rid of the anomaly by which the Assam force was governed by the same Act as the separate Bengal force, letting each province stand on its own and have the kind of Act best suited to it. They therefore referred the matter to us, and we made enquiries as to how matters stood here. We found that, just as in Assam, the officers and men in our force strongly resented being called 'police' when in many respects they were treated as soldiers, and especially they resented it if the status of the Assam force was going to be raised in this respect and they were going to be left as they were. We recruit from very much the same sources as at least some of the Assam battalions, and if we do not put our battalion on the level of Assam, we should obviously have difficulty in finding men, and should get the worst recruits. Therefore the same arguments were found to be valid in the case of Bengal, especially as our Dacca battalion had been employed on the Frontier both in the old days along with the Assam battalions, and in recent times in the Abor expedition of 1911-12 and in the Chinlong expedition of 1913. This same question of status was further emphasised by the experience of the recent great war, when one officer and 101 men went from our force to the Indian Expeditionary Force and did very well. One man got an Order of Merit, and a havildar was promoted to a subardarship, while seven men got promotion as non-commissioned officers and those who saw the men uniformly spoke well of them.

In view of these facts it seems to the Local Government to be reasonable that we should fall into line with the administration of Assam, and call our men by a more distinctly military name. We had some discussion as to what that name should be, and eventually, on the suggestion of the Government of India, we propose to adopt the terminology of the Eastern Frontier Rifles, Bengal Battalion. On the basis of that terminology the Act has been re-drafted, although there has been no practical change in substance. The amendments, which will be found underlined, are mainly verbal, largely concerned with the substitution of the word 'riflesman' for 'military police.' To all intents and purposes the Act is in substance what it was before; only amendments of a verbal character are proposed in order to give effect to the intention, which I have explained, of giving the battalion the more distinctly military status which it really enjoys. The Act itself, as will be seen from a brief glance at it, refers specifically to the discipline and maintenance of the force. There are special terms of enlistment, and men wishing to join come under a discipline which is more distinctly appropriate to soldiers. The Act therefore is one which little concerns the interests of the public; its amendment is designed to meet a need peculiar to the force as such."

The motion was put and agreed to.

*Resolutions.**The President ; Babu Surendra Nath Ray.***RESOLUTIONS***(under the rules for the discussion of matters of general public interest.)***LIST OF BUSINESS—ITEMS Nos. 5, 6 and 7.****The President said :—**

"I have agreed to the postponing to the next meeting of resolutions Nos. 5, 6 and 7 on the Agenda paper standing in the name of the Hon'ble Babu Akhil Chandra Datta on the ground that the Hon'ble Member is unable to be present to-day on account of illness."

The resolutions were as follows :—

5. The Hon'ble Babu Akhil Chandra Datta to move the following resolution :—

This Council recommends to the Governor in Council that arrangements be made with a view to the payment of the monthly pensions of Government pensioners in the Presidency of Bengal by postal money-order, if they so desire, and that, if necessary, the sanction of the Government of India be obtained in that behalf.

6. Also to move the following resolution :—

This Council recommends to the Governor in Council that steps be taken to improve the pay and prospects of the Assistant Surgeons in the Presidency.

7. Also to move the following resolution :—

This Council recommends to the Governor in Council that steps be taken to improve the pay and prospects of the compounders attached to Government hospitals and dispensaries in the Presidency.

LIST OF BUSINESS—ITEM No. 8.

8. The **Hon'ble Babu Surendra Nath Ray** moved the following resolution :—

This Council recommends to the Governor in Council that the Government do approach the Government of India for a grant of rupees fifty lakhs or such sum as they may think necessary from the Imperial Government to alleviate the distress caused by the recent cyclone in Eastern Bengal.

He said :—

"My Lord, for two years the country had been put to great inconvenience and the people subjected to great hardship on account of the high price of cloth, for nearly a year the country had been almost on the verge of famine on account of the abnormally high price of rice and other food-stuffs and the people could with difficulty eke out an existence, when the terrific cyclone of the 24th September last swept over the province and laid desolate a number of adjacent districts of Eastern Bengal, including portions of Khulna and Jessore.

That your Excellency's Government have now been doing all that they possibly can to alleviate the sufferings of those who have suffered from the cyclone is well-known. There was no doubt some delay on the part of the Central Government to move in the matter and to take necessary steps, but the

*Resolutions.**Babu Surendra Nath Ray.*

men on the spot, some of the District Magistrates, Sub-divisional Officers and some of the circle officers had already been to the places affected by the cyclone and were doing their level best with the limited means at their disposal in organising relief work. The non-official gentlemen who had gone to some of these places for rendering help saw that relief work had already been commenced by Government officers. But if your Lordship's Government have now been doing all that they possibly can to alleviate the sufferings of those who have suffered from the cyclone, the leaders of the people have also come forward in this great work. In fact they were the first in the field in organising regular relief measures in some of the more affected areas. The Bengal Relief Fund Committee, the Ram Krishna Mission, the Sadharan Brahmo Samaj and the Seva Samiti people, and last but not least the Servants of India Society have been working hard and zealously to alleviate the sufferings of the people in distress by contributing money, food-stuffs and cloth. I need not impress on your Lordship's Government that the country and its people have been sadly injured by the recent visitation, and it will take some time before the devastated portion of the country can recover. I shall quote from a few extracts from some of the reports of gentlemen deputed by the Bengal Relief Fund Committee to organise relief work in the affected districts to show the nature of the distress and the relief required. I need hardly say that they are men of the highest character and their reports can be taken without any reservation.

This is what the Dacca Secretary of the Bengal Relief Fund Committee reports :—

“The most pressing need of the people at present is rice and cloth. I personally know instances when the people are taking food after two days. Many are half-fed. Only 10 per cent. of the people, mostly of the trading classes, are full-fed. Many people are half-fed and in rags. I personally know of many instances where women would not come out of their huts to receive relief for want of cloth. In short the problem of Eastern Bengal to-day is one of rice and cloth.”

I quote from another report, that of Mr. H. D. Bose :—

“At Barisal, opposite the District Board Office, at about 8 o'clock in the morning, I found that there were nearly 500 to 700 people assembled to get their quota of rice; there was a general scramble, pushing and elbowing from all sides and directions, as if they were taking part in a Rugby football game, their clothes torn, bodies lacerated, and not a few knocked out of breath. Even after all this a host had to return unsatisfied and unattended as there was not sufficient quantity of rice in stock, and this in spite of the sympathy, generosity and humane efforts to supply their wants by men like the officiating District Magistrate and others”.

I quote the following from another report, which relates to an earlier period of the relief operations :—

“There are about 325 unions in the Dacca district and each union consists of a number of villages, the members of which range from 8 or 10 to 30 or 40 in each union. Government have given Rs. 25,000 for distribution amongst the people residing in the various unions and thus the money obtained by each union would be about Rs. 70 or thereabouts on the average. We can safely assume that the average number of villages in each union would be about 25 or 30. It can be easily understood what would be the effect of distribution of Rs. 70 or thereabout in about 25 or 30 villages, and in places where the number of villages in a union is about 40, the allotment for each village would be a little less than Rs. 2”.

*Resolutions.**Babu Surendra Nath Ray.*

"Government help has been paid for proportionate distribution in all the different unions, but the sum mentioned is too inadequate, and it can very reasonably be said that this help of Rs. 25,000 has not improved the condition of the suffering people even a bit, while the help rendered by our public spirited men has confined itself to only a group of neighbouring villages. The poor middle class people will never go for a pittance of four annas or eight annas. The people most hardly hit are the poor middle class, whom agricultural loan would not help and also will not be in any way benefited by a gift of an insignificant sum".

I am informed the Government have since supplemented these contributions, but the funds at the disposal of the local officers are still much inadequate considering the extent of the distress.

The following is about Jessore :—

"Immediately after the cyclone the Subdivisional Officer of Narail left for the interior, visited all the places, formed committees, raised some money and made arrangements for its distribution and applied to Government for agricultural loans. But with all the good intentions he could make no headway as he was handicapped for funds. It was at this time that I reached Narail on the 23rd October and met him. He at once decided to come with us again to show us all that he knew, so that outside help might flow to alleviate distress".

It also appears that in some of the places in the Jessore district the paddy crop has suffered considerably. It is reported that not only 80 per cent. of the huts had fallen, but three-fourths of the crop had been destroyed.

This is what one gentleman wrote about one of the unions of Khulna only about a week ago :—

"There are ten villages under the union, and in all the villages famine conditions prevailed before advent of the devastating cyclone. The Khulna District Relief Fund sent Rs. 40 only to a branch relief committee formed and the three unions of Raghunathpur, Rungpur and Rudaghara. An officer of the Government came to inquire into the condition of the people with a view to open relief works. He promised speedy relief, but it is going to be more than two weeks since his visit, and as yet we have got no response. Two hundred and fifty families, consisting of nearly 800 persons, are having half meal or no meal daily."

The extracts to which I have drawn your Lordship's attention give only a faint idea of the real state of things. Those who had been to these places or have come from these places say that they cannot paint in their true colours the miseries of the people. There have not been any laches on the part of the Government officials to try to grapple the situation. The three Indian District Magistrates, those of Khulna, Faridpur and Bakarganj, did not blench from the helm when the wind blew highest. A gentleman from Dacca writes :—"The people of Dacca really owe a very deep debt of gratitude to their energetic and their sympathetic Magistrate to whom and to Mr. Hart the success of the relief work is to a great extent due." A friend who has recently returned from Manikganj speaks in the highest terms of the energetic efforts of the Subdivisional Officer there and of the circle officer at Baira. The Hon'ble Mr. Cumming has been to many of the affected parts and the representatives of the people have been up and doing in the great work. Your Lordship has placed a special officer, Mr. Hart, as head of the relief work. The officials and the representatives of the people have entered the field with whole-hearted zeal and are vying with one another in alleviating the distress of the people. There has been whole-hearted co-operation between the officials and the non-officials. If the people thought it their duty to lend their helping hand to their brethren in calamity, your Lordship's Government have

*Resolutions.**Babu Surendra Nath Ray.*

also considered it their duty to assist those whom Providence has placed under their control. Proper sanitary measures to guard against the outbreak of cholera or other epidemic diseases or the breaking out of influenza should be taken at once. The water of the tanks and streams have become foul on account of the decomposition of plants and trees, even dead bodies of animals and men. A gentleman writing from Dacca only last week says :—

“For some days after the cyclone the sight of the corpses floating on the river Padma was simply thrilling. It is useless to multiply instances of such horrible sights we have commonly met with in course of our daily work. . . . East Bengal have seen cyclone, flood and famine and are awaiting fourth, not less distressful than these, namely, epidemic of diseases.”

Government have no doubt a programme of medical relief for the affected area, and their officers are doing spade work in certain centres. But the problem is a vast one, and must be grappled in right earnest.

Now let us see what is the amount which will be necessary to meet the present situation. It is no doubt very difficult, nay almost impossible, for a non-official who has no access to official papers except those which appear in the Government *communiqués* now and then to give an estimate even approaching to accuracy as regards the amount which will be required for the purpose of relieving distress. It appears however from the estimate of the Subdivisional Officer of Manikganj in the Dacca district that the damages caused by the cyclone in that subdivision alone would be about 25 lakhs of rupees. He does not state how much money will be required to feed the cyclone-stricken people for at least six weeks. It must be remembered that only three thana areas of this subdivision have fallen within the devastating ambit of the cyclone. He takes into account the number of cattle killed and wounded, number of huts blown down and damaged, valuable trees uprooted, the number of food-stuffs destroyed, including standing crops, as well as the number of boats sunk. I have tried to get similar figures with reference to other subdivisions, but I have not got them. Probably your Lordship's Government are in possession of them. But I think the subdivision of Munshiganj in the Dacca district where it is said there is not a single homestead which has not been affected, Kishoreganj in Mymensingh district and portion of Faridpur are more affected than the subdivision of Manikganj. If we take into account the damages sustained by the Bagerhat subdivision in the Khulna district and the Narail subdivision of the Jessore district, as well as some other subdivisions of Dacca, Bakarganj, Tippera and Mymensingh, we think the damages would come up to about 2 crores of rupees. I do not for a moment contend that Government are bound to restore these places and the men who have suffered to their original condition. I do not for a moment contend that Government should pay for the trees or for the boats sunk or the loss to the steamer companies, for they must have been all insured. But I think the suffering people, many of them in the lowest depths of poverty, can very well look up to Government, and does look up to Government, for their food and clothing for some time and for at least a portion of the cost of their huts. To add to the miseries of the people the price of jute which was Rs. 20 in August last is now Rs. 3 per maund. God knows the reason why? Government officers have no doubt been distributing cloth and rice in many of the affected parts and *rabi* crop seeds are being distributed through the Agricultural Department which is doing commendable work. But winter is approaching and unless these people get proper clothing or huts to live in, they will die by thousands. I think it is a fact well known to Government that agricultural loans, for which Rs. 21 lakhs have been granted, will not benefit the *bhadralok* classes or the lower landless classes either.

*Resolutions.**Babu Surendra Nath Ray.*

We find from the Government *communiqué* published in the papers of the 8th November, after I had sent notice of my resolution, that your Lordship's Government have given or are going to give, in addition to the grant of 21 lakhs of rupees in the shape of agricultural loans, the following relief :—

1. One lakh pairs of cloth, some at concession rates and some as gratuitous relief. If we take the price of cloth at Rs. 4 per pair, and if we take that half the number of clothes will be given as gratuitous relief, that gives us 2 lakhs of rupees worth of cloth which will be given by Government as gratuitous relief.

2. Next as regards Burma rice. It appears that one lakh and seventeen thousand maunds of Burma rice, which must have cost at least Rs. 6 per maund, or rice worth about 7 lakhs of rupees have been purchased by Government and consigned to Dacca, Faridpur, Mymensingh and Khulna. If half of this rice has been or going to be distributed as gratuitous relief, we see that rice worth about $3\frac{1}{2}$ lakhs of rupees will be given as gratuitous relief.

3. We next find that Rs. 60,000 have already been distributed as cash in the district of Dacca, whereas Rs. 45,000 have been sanctioned for the districts of Faridpur, Bakarganj, Jessore and Khulna, *i.e.*, about one lakh and five thousand rupees have been spent or are going to be spent on this head.

We therefore find that Government have already spent or are going to spend almost immediately more than $6\frac{1}{2}$ lakhs of rupees in gratuitous relief. We also find that it will require $3\frac{1}{2}$ lakhs for reconstruction of Public Works Department buildings, whereas those under the Police Department will require $4\frac{1}{2}$ lakhs for reconstruction or repairs, *i.e.*, more than 8 lakhs of rupees will be necessary to reconstruct the Government buildings. Then there is one more serious damage which demands our urgent attention. It is well-known that most of the schools of various grades in the affected area used to be housed in *kutchas* or tin roofed bungalows and these have not been able to withstand the fury of the cyclone, with the result that most of these educational institutions are seriously handicapped for want of suitable habitation and some of them may even have to close. Unless Government step forward and give substantial aid to these institutions, educational progress in Eastern Bengal may be set back for some time.

Of the $6\frac{1}{2}$ lakhs of rupees for gratuitous relief, we think about 3 lakhs of rupees have been raised by private subscription, leaving $3\frac{1}{2}$ lakhs to be defrayed from the budget estimates of the year. This is only expenditure so far incurred. It appears from the report of the Bengal Relief Fund Committee, published in the *Amrita Bazar Patrika* and the *Bengalee*, that about Rs. 1,45,000 have been spent by them in gratuitous relief in the shape of cash, Burma rice and cloth. We find that cash, rice and cloth worth Rs. 35,000 have been given to Dacca, Rs. 44,000 to Mymensingh, Rs. 14,000 to Faridpur, Rs. 7,000 to Barisal, Rs. 2,000 to Comilla, Rs. 3,000 to Chandpur, Rs. 8,500 to Jessore and Rs. 6,500 to Khulna; Rs. 6,500 to the Ramkrishna Mission Relief Committee, Rs. 5,000 to the Social Service League Relief Fund, Rs. 5,000 to the Brahmo Samaj Relief Committee and Rs. 5,000 to the Medical Relief Committee. It also appears that a sum of Rs. 3,210 have been subscribed to the fund organized by the Servants of India Society for the relief of distress in Eastern Bengal.

I take it that the amount which is being spent or will be spent for the relief of the cyclone-stricken people will no doubt be spent from the budget estimates of this year by postponing what the Government consider to be necessary items of expenditure. Your Lordship must have observed the fight that goes on year after year between the non-official members of this Council and the official members during the budget time if the non-official members

*Resolutions.**Mr. Cumming.*

want to divert any money from the budget allotment to any item of expenditure which they consider would go to support a popular measure. I attribute this attitude on the part of Government to the fact that Government are not very flush of money. For four years Government had to postpone spending of money on many useful projects. If the necessary items of expenditure be not spent this year on the several heads for which they are allotted but are spent in the cyclone relief work, the works will have to be undertaken next year from the next year's budget. But if the money which will be necessary for cyclone relief be not entirely borne by your Lordship's Government, but if a portion of it at least be borne by the Supreme Government, the necessary provincial works may go on, whereas the relief work will not suffer. Appeals have gone forth on behalf of the famished people of this country to England and even in the continent of Europe, and those appeals were always responded to. There have been ere this meetings in the Mansion House under the presidency of the Lord Mayor to relieve the distressed people of this country and moneys have been collected and sent to this country. I see no reason why your Lordship's Government should not approach the Government of India for some money to aid the afflicted. There may not be any constitutional or statutory obligation in such matters on the part of the Government of India to give financial aid, as in the case of famine. But I venture to submit that the Supreme Government has a sacred duty to step after such visitations of nature, and place substantial funds at the disposal of the provincial authorities to enable them to meet a situation so tragic and so unprecedented.

Your Lordship was pleased to issue an appeal on the 3rd October on behalf of the sufferers from the cyclone in East Bengal. Your Lordship was pleased to state that though some time must lapse before it is possible to form a complete estimate of the damage done, it is clear from the reports which have already reached the Government that distress of a serious nature prevails in the affected areas. The Government are doing what is possible in the way of granting relief, but when the Government have done all that is possible with the resources at their disposal there will be still immense scope for charitable assistance. Under these circumstances, I have no hesitation in appealing to all who are in a position to do so to assist their less fortunate fellowmen, who, at a time of abnormal economic strain, have had their lot rendered still more difficult by this calamitous visitation of nature. Your Lordship's appeal has had the desired effect. The public have come forward, the mercantile community—both European and Indian—have come forward to relieve the people in distress. Why should not the Government of India stretch out their helping hand in this critical time. If there was a time when help was necessary it is this.

One word more and I have done. If your Lordship's Government as a government do not think it proper to approach the Government of India for help, let the appeal go forth in the name of the non-official members of this Council."

The Hon'ble Mr. Cumming said :—

"My Lord, it would possibly conduce to the despatch of business in this Council if I were to announce at this stage that Government are prepared to accept this resolution as it is worded; in view of the fact, as I shall explain later, that Government have already taken action on the lines suggested. The Hon'ble Member's resolution, as it appears on the agenda, might bear one of two interpretations. One might be that in view of the amount which the Bengal Government are spending in connection with cyclone relief, which was an unexpected drain on the finances of the province in a year of stress, the Government of India might be asked to

*Resolutions.**Mr. Cumming.*

recoup the Local Government to some extent for this unforeseen expenditure. Another interpretation might be that in view of the extent of the damage done and the suffering caused, the Bengal Government's contributions were not sufficient and that an appeal should be made to the Government of India to supplement the expenditure of the Bengal Government. As far as I have followed the Hon'ble Member's speech,—and I may say that at the beginning of this sitting, he did me the courtesy of handing to me an advance copy of his speech,—it would appear that he desired to support both of these suggestions. Before, however, dealing with what might be termed the broad financial aspect of the resolution, I should like to deal in detail with a few of the allegations of fact which the Hon'ble Member has made and with some of his statements. Government desire to acknowledge the appreciative reference which has been made by him to the work of the officers of Government in connection with the relief that has been instituted.

As regards the communication of information at the very beginning to the headquarters of Government, the Hon'ble Member has perhaps overlooked the fact of the breakdown in communications. At one time the Commissioner of Dacca could only communicate with the headquarters of Government through Rangoon. The Hon'ble Member does not seem to be aware of, or has overlooked, the fact that from the very moment that information came in sufficient quantity and of sufficient importance to the headquarters of Government, an extremely unusual order was given to every District Officer concerned to spend as much as he thought fit in anticipation of any sanction. The Hon'ble Member has also referred to certain reports which have been communicated to him or to the press. In this connection I should like to say that if any member of the public in his experience finds that there are defects which might be remedied, both Mr. Hart and myself would welcome any information; such information should be communicated direct to Mr. Hart who is in administrative control of these operations.

Another small point to which the Hon'ble Member has referred is his inability to understand why the price of jute has lately fallen, which, he states, adds another factor to the difficulty of the situation. On that point there was an answer to question No. VIII given this morning, the essence of which is that it is due to causes entirely outside of, and beyond the control of, not only the Bengal Government but Bengal.

As regards the subject of medical relief, I can say that in the area where it was most required it was given promptly; and that arrangements are now in hand, and have been in hand, for extending such relief where it is required. I have of course no wish—far from it—to minimise the extent of the damage that has been done. But here again I think the Hon'ble Member has overlooked certain points which, if he were a resident in one of the eastern districts, he would have noticed. In the first place, particularly in Mymensingh, the raiyats themselves have rebuilt their houses very promptly either by their own labour or by helping one another. In the second place, all over these districts the larger buildings which belonged to people of capital are being rebuilt, and have been rebuilt, with surprising rapidity, from which the labouring population have received a great deal of advantage. As we know, in famine times the difficulty is to create work in return for help. But in this case work was universally open.

The Hon'ble Member does not ask that all damages should be made good. He says, however, that the suffering poor—if I quote him correctly—can look up to Government for food and clothing. I may say at once that that is exactly what the officers of Government are endeavouring to provide by themselves or in co-operation with non-official agencies. Throughout the Hon'ble Member's speech I have not heard any reference to any principle which governs the grant of relief on an occasion of this nature. The only approach which I can find to such an enunciation of principle is the statement that the Government of India—the supreme Government—have a sacred duty to

*Resolutions.**Mr. Cumming.*

perform by stepping in after such a visitation of nature and by placing substantial funds at the disposal of the Local Government. These, my Lord, are a few comments on certain statements of the Hon'ble Member. I said, however, that I should like to deal with the broader aspect of the question; and this is exactly the aspect on which the Hon'ble Member has not favoured the Council with any remarks.

It is first of all necessary to understand what the facts are regarding the financial expenditure; and, secondly, to realise what are the limitations on expenditure by the State from funds contributed by the general taxpayer on the relief of distress, whether caused by famine, earthquake, cyclone, storm-wave or any other visitation of nature.

Now let me state very shortly what are the financial facts. Government have allotted certain sums which have been announced in the *communiqués* published. These sums are paid from the Provincial finances. At the same time a large sum has been obtained from the Government of India for the purpose of loans; for it should be understood that, according to present financial arrangements, the Local Government borrows from the Government of India all monies that it gives out in loans, whether to local bodies or private individuals. The Government of India have further been requested that the expenditure incurred by the Government of Bengal should be treated in the same way as expenditure incurred in the relief of famine, namely, that three-fourths of it should be redeemed by the Imperial Government and one-fourth left to the debit of the Local Government.

Then as regards charitable funds, a considerable sum has been locally subscribed in all the districts which has been locally expended, practically on pure charity. A non-official Relief Fund known as the Bengal Relief Fund has been constituted. In addition, the Cyclone Central Relief Fund was inaugurated under His Excellency's auspices, while there are other private charitable organizations which have given their funds and their agents for its distribution. The Government of Bengal have also allotted certain sums from the income of charitable endowments, of which the Local Government is the trustee; and Government have also asked for a grant from the Indian Peoples Famine Trust. Finally, the public have been informed that the distribution of all the non-official charitable funds has been so worked out as to prevent, as far as possible, mutual overlapping or overlapping with the money spent by Government on charitable relief. These, my Lord, are shortly the facts regarding the financial aspect of the question.

The second point is very important, namely, the necessity for an appreciation of the limitations on the expenditure by Government of money belonging to the State; and here we must have recourse to principles. Let us in the first place examine whether the relief of distress occasioned by a natural calamity is covered by any of the objects for which civilised states are maintained. We have the authority of John Stuart Mill that Government may take upon itself anything really important to the general interest; and we have a long range of authorities from Hobbs and Bentham down to President Wilson of the present day for the proposition that one of the ministrant duties of the State is the care of the destitute. If these propositions be accepted, it has, in the second place, to be considered what limitations there are on such expenditure, namely, on the expenditure of State funds for the relief of distress. Here we are dealing with the position in India. Fortunately, the whole question of the delimitation of expenditure on the relief of distress between State funds and private funds has been more clearly enunciated in India than in any western country. For an examination of that principle we need not go further back than 1878, when in the correspondence between the Government of Lord Lytton and the Secretary of State, who was then Lord Cranbrook, it was stated that Government is responsible, as far as may be

*Resolutions.**Mr. Cumming.*

practicable, for the saving of life by all available means in its power. The same principle had been enunciated previously in Great Britain in the terms that every civilised society finds it necessary to provide that no person shall perish for want of the bare necessities of existence. At the same time, English authorities laid down a clear distinction between State relief and private charity. This principle was re-stated at the time of the great 1896-97 famine by the Government of India in the following words :—

“As we have said, we accept as our own the responsibility for saving life. But life once secured, our responsibility to the afflicted ceases and our responsibility to the tax-paying public begins.”

The Government of India in 1896 prepared a statement of the objects, to which private funds, as distinguished from State funds, might be applied. It was declared that there was ample scope for the exercise of private charity in supplementing the operations of Government in mitigating suffering and in relieving distress which fell short of absolute destitution. Four main objects were enunciated on which private contributions might usefully be expended ; first, in supplementing the subsistence ration provided by public funds ; secondly, in provision for the maintenance of orphans ; thirdly, for the relief of the middle class poor ; and fourthly, for giving a fresh start to those who have lost their all. When the Indian Famine Charitable Relief Fund was constituted on three occasions within recent times after the 1896 famine, after the 1899 famine, and after the 1909 famine, a statement of these objects, on which private contribution might legitimately be expended, was accepted by those who were responsible on each occasion for this relief fund. In more recent times, on the occasion of the floods in the Burdwan Division in 1913, this delimitation of the spheres of public and private relief was recapitulated. In connection with the opening of the relief fund which was then constituted, Lord Carmichael said that it was the duty of Government to preserve life by giving a maintenance to the destitute : but that Government had a duty to those whose money it spends ; and that Government would not undertake to replace actual losses. The Hon'ble Mr. Lyon on the same occasion said that Government as guardian of the public purse was subject to rules which prevented it from yielding to charitable impulses when dealing with the money of the taxpayer.

In a further subsequent communication to the Committee of the Fund the Bengal Government of that day made a declaration of principle in the following terms : that gratuitous relief was for the relief of immediate personal distress due to want of food, temporary shelter and medical help : but that Government could not undertake to restore houses, or supply seed or cattle gratuitously, though assistance might be given in these respects by means of agricultural loans. And, finally, in making the appeal to private benevolence in connection with the recent cyclone, on the 3rd October last, His Excellency declared that when Government had done all that was possible with the resources at their disposal there would still be immense scope for charitable assistance.

The Hon'ble Mover has given to the Council his estimate of the total loss to property caused by the cyclone. I should like to say at once that such estimates were placed in my hands very early in the course of the relief operations. They had been prepared very hastily on imperfect information by sub-inspectors of police-stations ; and I discarded them as utterly unreliable. At the same time, if, by any hypothesis, these estimates might be considered as accurate, Government in its capacity as custodian of the public purse, has never undertaken and cannot undertake responsibility to replace actual losses or to meet the cost of repairs of all damages. It is true that the Hon'ble Member did state that he did not ask for so much ; but nevertheless the whole purport of his arguments was that a great deal more should be

*Resolutions.**Mr. Cumming.*

done towards the replacing of losses. It is, my Lord, not only a question of the liability of the State, but a question of the pauperization of the people. Indeed, the Hon'ble Member seems to be labouring under the misapprehension that State relief is charity. This is a fallacy; State relief within its proper sphere is not charity, it is an obligation on the State. Indeed as regards the relief of distress in India on the occasion of a famine there is one thing that can be said, and one eminent authority has said it,—namely, that the State relief of distress in India, if properly organized, does not demoralize the people. It is therefore clear that there has been a definite principle and a consistent application of that principle in the policy adopted by the Government of India and by Local Governments in dealing with the relief of distress after a natural calamity. It is true that such a principle was first enunciated in connection with distress due to famine; and that the circumstances of distress due to a cyclone or a similar calamity are somewhat different. Granted: it is of course the fact that at one and the same time practically the whole population in the area affected by storm is afflicted; and this justifies a liberal interpretation of the principle of saving life. Government and its officers have on this occasion interpreted that principle in a liberal way. The methods ordinarily adopted in the case of famine for giving relief in return of work of some kind are not specially applicable to the present position; for this reason on the present occasion, apart from purely charitable relief for the helpless, a great portion of the Government relief has been in the form of the sale of cloth or of rice at cheap rates in areas where cloths were wanting or where the rice-supplies have been damaged or destroyed. Where the assistance is given in the form of gratuitous relief to those who are not absolutely helpless, then the relief trenches on the jurisdiction of that which is debitable to private benevolence. After a reasonable lapse of time, when immediate and almost universal distress has been temporarily relieved, it is right that the standard principle should obtain; and that the obligation of Government should then be limited to the grant of gratuitous relief in the shape of money or cloth, or grain to widows, orphans and people without resources or to people incapable of doing any work either through age or infirmity, and to the grant of loans to those who have resources. The subscriptions which have been contributed by the various relief funds are being utilized either to supplement what is given by Government or as grants to those persons who do not come within the strict category of those who according to this long-standing policy are the suitable recipients of relief from the State. I may state here that the principles which I have now enunciated were placed by me before the Executive Committee of the Central Cyclone Relief Fund, on which there are representatives of four of the non-official organizations; that these principles were accepted by that Committee; and that a Memorandum which I had prepared on the subject has been widely circulated amongst those interested.

I have explained at some length, my Lord, the matter of the jurisdiction of State relief, as it is clear that there is some misapprehension on the subject. Before I conclude, may I summarize very shortly what Government have done compatibly with these principles which have been enunciated? I maintain that subject to these principles Government have a clear conscience that they have done what is right both towards the afflicted and towards the tax-payer. First of all, 1,50,000 maunds are under purchase by Government at a cost of 9 lakhs of rupees. The prime object of this was to supply a cheap rice for sale and not to dispense charity; but of this not an insignificant portion has been given away as gratuitous relief to suitable recipients. Secondly, 500 bales of cloth, valued at 4 lakhs of rupees, have been purchased by Government. Of this portion has been distributed gratuitously, and the balance is being sold. Thirdly, 21 lakhs of rupees have been obtained for agricultural loans to cover the requirements of seed, cattle and rehousing

*Resolutions.**Mr. Meares; Babu S. N. Ray; Maulvi Abul Kasem.*

in the case of agriculturists; and, fourthly, more than one lakh of rupees has been given in cash for direct gratuitous relief from Government. This is a short statement of the financial position at the present moment.

The Hon'ble Member while mentioning the specific sum of 50 lakhs has also suggested in his resolution an indefinite alternative,—namely, whatever sum may be thought necessary. I stated at the beginning of my remarks that Government would be able to accept the resolution as it is worded, because Government have already taken action on the same lines; and I now repeat that, on the understanding that the actual amount is at the discretion of the Bengal Government, and also in view of the fact that the Bengal Government have already taken action by obtaining loans from the Government of India, and by asking the Government of India to recoup the Bengal Government a considerable portion of the expenditure incurred and that they have therefore already carried out the literal terms of the resolution, Government are prepared to accept it. But I must emphasise that this acceptance is contingent on the understanding to which I have referred. Government cannot relinquish the principle and the policy which I have endeavoured to explain to the Council."

The Hon'ble Mr. Meares said :—

"My Lord, I do not think the Hon'ble Mover can be fully aware of the conditions as they now are in the affected areas. As is nearly always the case in distress of this description it is immediate relief that is most needed. Prolonged relief for several weeks or months should only be necessary in the more acute cases, and such cases can only bear a very small proportion to the whole. The immediate extreme distress following on the cyclone was removed by the very prompt action taken by the Government in distributing the necessities of life, and these steps have undoubtedly played by far the most important part of any relief work that has been done. I was at Narayanganj at the time of the cyclone and have been there ever since, so have had every opportunity of studying conditions at first hand. The standing crops suffered comparatively little; in fact the rice crops have benefited by the heavy rain; houses have been reconstructed and work generally is now going on normally. I am not saying that there are no cases requiring further relief. There are the widows and orphans of those who were drowned during the cyclone who will require help for some time, and these are the more acute cases I have mentioned. The work of general relief, however, which has now been going on for some time should now be sufficient to meet the case of the majority, and large additional funds can hardly be necessary. Besides the help rendered by Government, large subscriptions have been collected, and the position now is such that part of these subscriptions might very well be reserved to meet the more urgent and prolonged cases where it is necessary."

The Hon'ble Babu Surendra Nath Ray said :—

"My Lord, I am very much obliged to Your Excellency's Government for having accepted the resolution. That is all I have got to say."

The motion was then put and agreed to.

LIST OF BUSINESS—ITEM No. 9.

The **Hon'ble Maulvi A. K. Fazl-ul-Haq** being absent, the **Hon'ble Maulvi Abul Kasem** moved the following resolution on his behalf :—

This Council recommends to the Governor-in-Council that the typists attached to the offices of the Director of Public Instruction and the Inspector-General of Police be placed on the same footing regarding pay and prospects as the typists in the Bengal Secretariat.

*Resolutions.**Maulvi Abul Kasem.*

He said :—

My Lord, after having considered a question of such great importance as the relief of distress caused by the recent cyclone in Eastern Bengal, I feel a little diffidence in taking up such a trivial matter as the pay of a few typists in Government offices. But the absence of my Hon'ble friend, Maulvi Fazl-ul-Haq, has thrown this responsibility on me, and I think that though the resolution be unimportant and the number of people affected by it small the question is certainly deserving of consideration. In March 1918, my Hon'ble friend, Rai Mahendra Chandra Mitra Bahadur, moved a resolution in this Council that the pay of the typists in the Bengal Secretariat should be raised to a uniform grade of Rs. 40 to Rs. 100 by annual increments of Rs. 5. This resolution was accepted on behalf of the Government by the Hon'ble Mr. Donald with certain modifications. We are glad to find that effect has been given to that so far as the typists in the Secretariat are concerned. But, as the resolution itself says, this was not done at least in the offices of the Director of Public Instruction and the Inspector-General of Police, where the typists used to enjoy the same pay and had the same prospects as typists in the Secretariat. Their case was not considered and in reply to a question put by my friend, the Hon'ble Maulvi Fazl-ul-Haq, he was told by the Hon'ble Mr. Payne that Government were not considering the proposal of raising the pay of the typists in the heads of departments to a uniform grade with those of the Secretariat, and it was added that there was always a difference in pay between the clerks serving in the Secretariat and those serving under heads of departments. It may be that the clerks in the Secretariat are differently treated from the clerks in the office of the heads of departments—as a matter of fact, in mufassal offices they are treated much worse—but the case of the typists is quite different. They were on the same pay as the Secretariat typists and so they have a very just grievance in this matter. Till 1906 I am told the typists were in the general cadre of clerks in the office of the Director of Public Instruction; it was then under the Hon'ble Sir Archdale Earle. He suggested that there should be a separate cadre for typists in his office and that was accepted by Government. On the recommendation of Mr. Kuchler the pay of the typists in the office of the Director of Public Instruction was fixed on the same basis as that of the typists of the Bengal Secretariat, viz., Rs. 30—50 in one grade, and Rs. 50 to Rs. 70 in another. There the matter rested and there was no change in their position. The typists of the Bengal Secretariat brought their position to the notice of Your Excellency's Government through the Hon'ble Rai Mahendra Chandra Mitra Bahadur, and their prospects were improved, but the typists in the office of the Director of Public Instruction remained in the same position in which they were, even in these days of high prices when they find it difficult to make both ends meet. This class of typist does not belong to the general office cadre, and they do not enjoy the chances of promotion which are open to other clerks; they form a cadre by themselves, therefore their position deserves consideration. The Hon'ble Mr. Donald, while speaking on the resolution of the Hon'ble Rai Mahendra Chandra Mitra Bahadur, said that no difference should be made between typists; they do the same class of work, the work of copyists, and as soon as they show a sufficient amount of efficiency, they should all be treated in the same manner. I think that dictum applies equally to the typists serving in the Secretariat, as well as under the Heads of Departments. In this case I think I have official support. Mr. Wordsworth, the Director of Public Instruction, moved in the matter and recommended that the typists in his office—there are six or seven typists altogether—should be placed in the same cadre as the typists in the Secretariat, and I think Your Excellency's Government will consider it worth while to give them the relief which they deserve."

*Resolutions.**Sir Henry Wheeler; Maulvi Abul Kasem.***The Hon'ble Sir Henry Wheeler said :—**

"My Lord, the Hon'ble Member has himself admitted that this is a trivial and unimportant resolution; and personally, I venture to think it a pity that our clerks, when they wish to secure an enhancement of a few rupees, should get into the habit, instead of going to the departmental heads who know what the facts are, of running to members of the Legislative Council and enlisting their support for the public ventilation of these matters in an august body like Your Excellency's Council. This august body is not in such a good position as the Secretariat to say whether a clerk's salary should be one or two rupees higher than it is. Another incidental difficulty in which Hon'ble Members involve themselves by letting their kindlier feelings perhaps run away with them, is that they are not acquainted with the real facts, and they do not put their resolutions in a complete form. If the object of this resolution is to place all the headquarters offices in Calcutta in which a special grade of typists is employed on the same footing as the Secretariat in the matter of their pay, then the resolution is not complete in merely mentioning the offices of the Director of Public Instruction and the Inspector-General of Police, because it should also include the offices of the Board of Revenue and the Collector of Customs. I merely mention this in illustration of the difficulties which I apprehend are characteristic of this type of resolution. The actual point is, whether in place of two grades of Rs. 30 to Rs. 50 and Rs. 50 to Rs. 70 for typists specially employed as such, we should give a pay of Rs. 40 rising by annual increments to Rs. 80. It is a trifling matter of a few rupees, and the Hon'ble Member apparently thinks that, because it is small, we should agree to it. But we do attach importance to the principle, which is not only characteristic of typists but of other grades, that in the Secretariat we pay slightly higher than in the offices of heads of departments. It is a principle of long standing and it works in the sense that we do get men on the scale of pay offered who can be entrusted to do their work efficiently. Although it is merely a matter of a few rupees, it is relevant that on the pay we offer we can get men, and we are not offering them a pay below the market rate. It is obviously easy to say that because a man is doing the same sort of work on this side of the street, he should be paid the same as a man doing similar work on the other side of the street. But it is the case that the work of the Secretariat is more responsible, more open to public criticism and attracts more public attention; therefore we give a trifle more so as to try to get the cream of the market; whether we succeed or not, is another matter. Candidates being forthcoming under these conditions, we do not propose to accept this resolution. I have several times mentioned in this Council, and I will mention it again to-day, that our financial position is anything but satisfactory, and that fact will be brought forcibly to the attention of Hon'ble Members, if, as proposed very shortly, we have the Financial Relations Committee sitting to decide the future relationship between the provinces and the Government of India. It will then be brought home to Hon'ble Members that the financial position of the Government of Bengal is by no means what we would like to see it in view of the many urgent calls upon us, and therefore, in so far as this is not an urgent call, I do not think we should accept it."

The Hon'ble Maulvi Abul Kasem said :—

"My Lord, I got this resolution as a legacy from my Hon'ble friend, and I am not prepared to press it after what has fallen from Sir Henry Wheeler. Before I withdraw it, however, I would like to submit in reference to what Sir Henry Wheeler has been pleased to observe that there has been a difference in the pay of the Secretariat clerk and the clerk in the offices of the Heads of Departments. But so far as the typists are concerned, since 1906

*Resolutions.**Maulvi Abul Kasem.*

they have been drawing the same pay as the typists in the Bengal Secretariat, and if there has been a rise in the pay of the Secretariat typist, I think the typists serving in these two departments can naturally expect that their pay should be raised, and that there was sufficient justification for making this demand. However, as circumstances are, I beg leave to withdraw the resolution."

The motion was then, by leave of the President, withdrawn.

LIST OF BUSINESS—ITEM No. 10.

The Hon'ble Maulvi Abul Kasem moved the following resolution :—

This Council recommends to the Governor in Council that steps be taken without delay for the improvement, re-excavation, renewal or reconstruction of irrigation tanks in Bengal, and that necessary legislation in this connection be taken up as early as may be practicable.

He said :—

"This is a resolution which, in my humble opinion is, I think, of no less importance than that which we discussed a little earlier. The question of irrigation tanks greatly affects agricultural conditions in this country, and as agriculture is the mainstay of the people of this country, I think its importance cannot be under-estimated. As regards the question of re-excavation of irrigation tanks, so far as I am concerned, I may say the initiative in this matter was not taken by me. Your Excellency is aware that the initiative was taken by Mr. Birley, the Collector of Burdwan, whose services we have lost—which I regret very much—as he has gone on leave. He did much good and solid work for the agricultural classes and his interest in their welfare prompted him to write a letter on the subject of irrigation tanks to the Government, asking that Government should take steps in this matter; he did me the favour of sending me a copy of that letter, and I accordingly felt it my duty to send notice of a resolution on this point in order to draw the special attention of Your Excellency's Government to this question. The resolution is so worded as to affect the whole of Bengal, but I will only speak with reference to the district from which I come in Burdwan and the neighbouring districts of Birbhum, Bankura and a portion of Hooghly-Chinsurah where we have an enormous number of irrigation tanks, the majority of which have silted up or are being silted up. The question is, can we re-excavate them? Now certainly the owners have no interest in them, neither have the zamindars nor tenure-holders or the raiyats on fixed rent. They are not interested in the irrigation of the land lying on the borders of those irrigation tanks for they may either cultivate it themselves or let it out for cultivation as paddy land to other raiyats, and naturally as they have no interest in re-excavating or improving these tanks and no pecuniary interest in the matter, they will not move in the matter. The result is that these irrigation tanks are in a deplorable condition and agriculture suffers to a very large extent. Last year, my Lord, we expected a bumper crop of rice; we had very good rains in the earlier rainy season in July and August and crops were ready for ripening; then there was a failure of rain in October with the result that nearly half, if not more, of the crops were lost. This year, my Lord, there was shortage in the earlier part of the season, but all the same we managed to get land cultivated and the crops were growing satisfactorily, but there was again a failure of rain in October with the result that much of the crop was damaged, and we had a much smaller crop than we otherwise expected. But if these irrigation tanks were serviceable, we could have arranged to irrigate this land and keep

*Resolutions.**Mr. Cumming.*

them in order and therefore save this crop from dying out. As the details of the question have been given in Mr. Birley's letter to Your Excellency's Government, I think it will not serve any good to recapitulate them. I appeal to Your Excellency's Government to take steps in the matter so that agriculture in my part of the Province may flourish and improve as it ought to, so that we may not entirely depend on nature for our agriculture. Of course when there is a complete failure of rain, there will be no crops and famine—that we understand—but for the simple failure of one rainy season if the crops die out, this is a matter of regret and misfortune, and steps should be taken to avoid it. My Lord, various suggestions have been made that under the Village Self-Government Act the village boards are given authority to take loans for re-excavating these tanks and recoup the same by taxing the people whose lands will be irrigated by these tanks, and I think the raiyats, as far as I have been able to ascertain, and so far as the officials are concerned, they will also agree in the matter. They will gladly pay up to make up the interest and sinking fund on the loans that may be necessary. They will gladly do it, if it can be done in two or three years, and they are only too anxious that it should be done. If they have not moved in the matter, it is because they could not, and it remains to the credit of Mr. Birley, and I hope that his efforts in this measure will meet with success."

The Hon'ble Mr. Cumming said:—

"My Lord, in this case also Government are prepared to accept the resolution on the ground that action has already been taken on the lines proposed by the Hon'ble Member. Government have indeed taken action in two ways. Government have taken action in the first place in different departments without the aid of legislation; and in the second place Government have initiated legislation for this very object, namely, the improvement or re-excavation of irrigation tanks in Bengal. I shall take up the question of legislation first. In March of this year the Government of Bengal appointed a Committee to consider the whole question of legislation for sanitary and agricultural improvements, for the reason that the existing acts were unsuitable. The application of the Embankment Act was too limited; the procedure of the Drainage Act was too cumbrous; and the Sanitary Drainage Act was not applicable to purely agricultural projects. This Committee was well constituted: it had representatives of four district boards who were interested in the matter under discussion. The Committee duly submitted their report and a draft Bill was prepared, the intention of which was to consolidate the existing legislation and to correct the lack of elasticity which was the main fault of the present law. This Bill is designed to cover both large and small schemes. Amongst the latter will be those to which the Hon'ble Member has drawn attention. It has already been submitted to the Government of India; and it will, I trust, if enacted, achieve the object which the Hon'ble Member has in view. In the next place, Government have already taken action without the aid of legislation. This action has been confined, as is natural, to the Burdwan Division, the interests of which the Hon'ble Member represents in this Council. I shall take in turn the case of three districts.

In the case of the Birbhum district, I have ascertained from the Collector, Mr. G. S. Dutt, that the District Agricultural Association and various branch associations, which now number no fewer than 80 in his district, have taken up the question of the re-excavation of irrigation tanks. So far 21 such tanks have been re-excavated, resulting in an increase of 1,600 bighas of irrigated area; and the re-excavation of 132 more such irrigation tanks is under consideration by these branch agricultural associations. Then, as regards the district of Bankura, the construction of tanks has been a feature of famine relief works during the last two famines. In the relief of the 1915 distress,

*Resolutions.**Rai Mahendra Chandra Mitra Bahadur.*

62 reservoirs were re-excavated; and during the present distress, 25 more such irrigation tanks have been similarly treated. Both the Commissioner of Burdwan and myself can bear testimony to the incalculable benefit which the raiyats have derived from this work which has been accomplished through famine labour. Apart from that, the Director of Agriculture is giving his attention to the promotion of irrigation in this district; and the Co-operative Department is endeavouring to solve the water-supply problem by the formation of co-operative societies. The Hon'ble Member has also mentioned certain proposals submitted by Mr. Birley, the District Officer of Burdwan. These proposals have been received by Government and have been considered. One of his suggestions is the same as that mentioned in the case of Bankura, namely, the constitution of co-operative irrigation societies. The other points mentioned by him are of a somewhat technical nature; but they have been and will be further considered.

I should like to point out to the Hon'ble Member in this connection that while the Agricultural Department, the Co-operative Department and the Public Works Department can give advice and counsel, and while it is hoped that this new legislation, if it materializes, may correct many of the existing defects of procedure, yet work of this description, namely, minor irrigation, is emphatically within the domain of private effort. Government therefore consider that the most practical line of advance for the object which the Hon'ble Member has in view, is through branch agricultural associations and through co-operative societies which may take up individual schemes. I repeat that Government accept the resolution; but would emphasise the proposition that if any genuine instances of self-help in the construction of irrigation reservoirs come to the notice of Government, such genuine instances of self-help are most likely to receive the assistance of Government."

The Hon'ble Rai Mahendra Chandra Mitra Bahadur said :—

"My Lord, I have come to the Council to support this resolution of my learned friend, but I see that the Hon'ble Mr. Cumming has accepted the resolution. Allow me, therefore, my Lord, to say that the raiyats of the Burdwan Division are very grateful to your Excellency's Government for steps having already been taken in the direction which the resolution emphasises. My Lord, when the Bengal Village Self-Government Act was passed we thought of this matter, and we thought at that time that the provisions of section 30 of the Act would meet the point which has been raised by my learned friend. But I find to my disappointment that although a district is now a net work of unions, they are unable to take up the irrigation work which is the subject matter of consideration by Your Excellency's Government to-day. Under the provisions of section 30 of the Act, Union Committees have authority to excavate, re-excavate or repair tanks, and under the provisions of section 45 of that Act grants-in-aid are given to Union Boards by District Boards, but the money of the district board cannot be spared largely in this direction. Supposing in a district there are 140 unions, what amount of money can be allotted to the union boards, if a difficulty arises as to how to meet the irrigation tanks.

I am very glad to hear to-day that legislation on the subject of improving irrigation tanks is going to materialise and for this I beg to express my grateful feelings to the Hon'ble Mr. Cumming and to Your Excellency's Government. No subject is more important than the improvement of irrigation tanks. If these tanks are improved and repaired, I am sure that there will be less scarcity than what we are now going to face. It is necessary that private zamindars should come forward and co-operate with Government, but the difficulty is that these zamindars are mostly absentee

*Resolutions.**Maulvi Abul Kasem.*

landlords and consequently the improvement of irrigation is neglected. Your Lordship may perhaps be aware that in many parts of the districts of Burdwan and Hooghly the irrigation tanks have silted up. We find that Civil Courts are flooded with law suits as to the right of prescription in making use of the water of the tanks. The result is that the tanks are not improved and they are allowed to run into a very bad condition and consequently water cannot be available from these tanks. Therefore, it is a pleasure to us to-day to hear that legislation is going to materialise on this subject. If this is done earlier, so much the better for us, especially for the agriculturists.

With these few observations, I support the resolution."

The Hon'ble Maulvi Abul Kasem said :—

"My Lord, I am very grateful to Your's Excellency's Government and to the Hon'ble Member in charge for the very sympathetic reply he has given and for having accepted the resolution. I quite agree with him that in the matter of minor irrigation the principle of self-help should exist and that we ought to work it out ourselves.

Reference has been made to the network of organization in the district of Birbhum for agricultural improvements ; and I, my Lord, here gratefully acknowledge the good services rendered by Mr. Dutt, the Collector of the District, for the improvement of agriculture and for his activities in many other directions. He has done many things there, and if these agricultural tanks have been re-excavated it is to a very large extent due to the energy and devotion to duty exhibited by Mr. Dutt himself. I am sure that if Mr. Birley had been in Burdwan for some time longer, we would have all our complaints removed. But that is not to be so. In this case, my Lord, as I began by saying that the interest of the owners of tanks lies in the fact that if these tanks are allowed to silt up they can be let out for cultivation, and we have to take note of that. In the matter of irrigation tanks, as in all other matters, we must take note of human nature as it is. Nobody is going to spend money or allow anything to be done which interferes with his own personal and pecuniary interests. So we want legislation so that irrigation tanks may be re-excavated, although the owner may not like it or may object to it. However, as Government have already taken action in the matter, I can only say that we are deeply grateful to Government ; and in this matter we can safely congratulate ourselves that the usual delay, which takes place in Government offices in taking action on suggestions made, has not taken place, and the matter has been expedited as much as possible."

The motion was put and agreed to.

LIST OF BUSINESS—ITEM No. 11.

The Hon'ble Maulvi Abul Kasem moved the following resolution :—

This Council recommends to the Governor in Council that the name of the Burdwan Municipality be removed from the First Schedule to the Bengal Municipal Act, 1884, at an early date.

He said :—

"My Lord, it is almost to a day this year that I had the honour—and I might say almost the misfortune—to move in this Council a resolution that the

*Resolutions.**Maulvi Abul Kasem.*

order of supersession passed on the Burdwan Municipality be withdrawn. I was then unsuccessful and my wishes did not meet with the approval of Government. I hope to have better luck on the present occasion. The Burdwan Municipality was superseded in October 1918, and under the orders of supersession it was restored to a body of Municipal Commissioners in October 1919. But in the meantime Government were pleased to put the name of the Burdwan Municipality in the First Schedule by which the rate-payers and the citizens of Burdwan lost the right of electing their own representatives on the Municipal Board, and I submit, my Lord, that there was no justification for depriving them of their rights. True it is that fault was found with the body of Municipal Commissioners who had the charge of the municipality in 1918 and that they had not worked satisfactorily. That is a question on which it will serve no useful purpose to dilate now. But neither in the Government resolution superseding the municipality nor from any other facts has it been proved that the rate-payers of Burdwan have failed to discharge their duty for which they ought to be disenfranchised. The Burdwan Municipality has been in existence for a very long time, and I remember, my Lord, that only very recently it was recognised as one of the best managed municipalities in the province. When the Government of Bengal thought it fit to give some little freedom to some of the selected municipalities in the matter of the preparation of their budget, Burdwan was one of the three municipalities in Bengal chosen to exercise that power and that liberty.

Now, that freedom has been granted to almost all the municipalities, and whenever there was an occasion to give a place of honour or of some advantage to any of the municipalities, Burdwan was at least one of those selected for the purpose. I might mention that during the Coronation of His late Majesty King Edward VII, of all the mufassal municipalities only two in Bengal, viz., Cossipore-Chitpur and Burdwan, were allowed the privilege of sending an address to the Government of India, and we had in the Government resolutions good words said about us. All of a sudden, Sir, because a particular body of Municipal Commissioners failed in their duty, are we the citizens of Burdwan to suffer for that? There has been no case made out to show that the rate-payers ever deliberately elected bad men or they could not exercise their franchise or they did it wrongly. It is a fact that the previous generation exercised the franchise with credit to themselves and with advantage. Simply because once a particular ward or two or some voters here and there acted unwisely and by fluke one or two men or say a majority of them got in who ought not to have been there, that is no reason to disenfranchise the whole body of citizens. Government choose their officers very carefully, but it has been found that many Government officials holding positions of responsibility and trust have been found guilty and they have been dismissed from the service and committees have sat over them. But for that reason has it ever been suggested that the authority which employed them was to blame? It was only an error of judgment or a mistake which they could not anticipate or foresee. The same is the case with the people of Burdwan. Even if they chose representatives who were not deserving of their trust, they ought to have been given an opportunity to show whether they could reform.

As on the last occasion, so on the present, I beg to say that it was the neglect of duty, if not the misconduct, of the Municipal Commissioners which induced the citizens of Burdwan to form and establish a Rate-payers' Association in the town, and it was started only on the eve of the supersession. They started that organization to watch over the conduct of the Municipal Commissioners and to guard the future elections which were then coming on. But the Rate-payers' Association or the authorities of that association were

*Resolutions.**Maulvi Abul Kasem.*

not given an opportunity to show their work or to exercise their influence over the voters and rate-payers of Burdwan. The result is that we have now got a body of Municipal Commissioners entirely appointed by Government. It may be said that on consideration of the report of the gentlemen who sat as Commissioners to inquire into the affairs of the Burdwan Municipality it has been thought desirable to put it in the schedule, but what can those Commissioners say? They can only say that some of the Commissioners were guilty of gross misconduct. That may be so, but that does not show that the rate-payers or voters of Burdwan are not fit to exercise their franchise. By examining the records of the Municipal office it cannot possibly be said that the rate-payers are unfit. Besides that, though I think the rate-payers may have been a little neglectful in the past they are more active in the present day, and they ought to be given the right of choosing their own representatives. One of the reasons at least which was given to us by Mr. Birley, the Collector, was that they could not allow us to exercise the franchise because no list of voters was ready on the day on which it was to be handed over to the Commissioner. Of course, that was not the only reason, but that was one of the reasons. If the voters' list was not ready, was it the fault of the rate-payers or was it the fault of the Officer-in-charge of the Municipal office? It was ready in the case of the Hooghly-Chinsura Municipality. Why was it not ready for the Municipality of Burdwan? Even if the Government decided to put the Municipality in the First Schedule as they have done, at least the officers in charge of the Burdwan Municipality could not anticipate Government orders and they ought to have got the voters' list ready before the Government orders were passed putting the Burdwan Municipality in the First Schedule, but that was not done. Besides that, my Lord, there are Mr. Birley's recommendations about nomination which were made after consulting all available agencies in Burdwan. I gratefully acknowledge that so far as the Muhammadans of my town are concerned, we are in the best possible position to-day than we can ever be under the system of election. But at the same time, in spite of the fact that we are enjoying a very good position to-day and we have some of our best men on the Municipal Board, we feel the indignity suffered by my fellow-citizens and we resent the humiliation before other municipal towns of this Presidency which we suffer for no fault of ours. It is true that Mr. Birley consulted the Rate-payers' Association, the Peoples' Association and the Bar Association, and it was on the recommendation of these associations and public bodies that the present board has been formed. Naturally, if the rate-payers were given a chance of election it is 10 to 1 that a very large majority of these very men would be elected. Therefore, so far as the personnel is concerned there is very little difference between the elected and the nominated Board, so far as Mr. Birley's nominations go. But unless the name of the Burdwan Municipality is removed from the First Schedule, we anticipate that Mr. Birley will no longer be the Collector of Burdwan and the next Collector may have different ideas about nominations and may choose a lot of Municipal Commissioners who may not enjoy the confidence of the people. So far, therefore, as this particular Board is concerned, I have nothing to say about it. But I think it is due to the rate-payers of Burdwan that they should have the right of choosing their Municipal Commissioners and whether these very men are returned or not, the rate-payers ought to know that the Municipal Commissioners look upon them as their masters and task-masters and not that they should depend on the District Magistrate for their appointment or seat on the Municipal Board.

My Lord, a good deal has been said about the Burdwan Municipality and I know its faults and defects more than anybody else. But at the same time I submit that the charges brought against that municipality that the roads were bad, drains were flushed, filtered water was wasted with impunity; but may I ask whether during the year in which the Government have

*Resolutions.**Maulvi Abul Kasem.*

been in charge, has there been any appreciable improvements in any of these things? The roads, I beg to submit my Lord—and I challenge contradiction—are worse than they were in the hands of the old Municipal Commissioners, and if in the days of the old Municipal Commissioners there were no arrangements for flushing the drains they were at least cleansed once a week, but during the period it was in charge of this new body it was never cleansed once in 12 months. Water used to be wasted with impunity indeed, but has there been any prevention beyond the fact that a heavy loan has been contracted with the object of putting up meters and to have a fresh engine for improving the water-supply, but this could be done by any public body—it neither requires wisdom nor much energy. In regard to the waste of water in public taps. The only measure that I noticed was taken by the officer in charge of the Municipality was that whenever a silly woman was found keeping the tap open the tap was removed altogether and the supply was stopped. This matter was brought to the notice of the Commissioner and under his orders that tap was replaced after three months. This happened at a place which was largely inhabited by bustee people. Therefore, I say that there has been absolutely no improvement at all.

As regards finances, my Lord, the accounts have been kept very efficiently so far as the papers go. But the first examination of the account books has compelled the Chairman of the new Municipality to write to the Examiner of Local Accounts to send a special auditor to go through and examine the papers and as the result of the first examination we find that there has been a misappropriation and defalcation, and we are going to consider the whole question again. So, my Lord, after all, the old Municipal Commissioners were bad enough but they were not much worse than those who have been put in charge of the Municipality by the Government.

Before I sit down, I beg to submit one special grievance of the citizens of Burdwan regarding assessment. On the last occasion in this Council it was stated that the assessment made by the Municipal Commissioners of Burdwan was not fair and equitable, that they taxed the poorer people more and let the rich off easily because the latter were men of influence who could influence the appeal benches and the assessing authorities. But to my horror I find that this inequality and inequity of assessment has found greater expression during the time of the new assessment by the Government officials when the poorer people have been taxed much more and the richer people have been under-assessed. I brought to the notice of the Government official in charge several instances and he said that under the law he had no power to remedy them. I have been connected with Burdwan for some years and I have found in my experience that there has been an increase of Rs. 12,000 or Rs. 15,000 in the general assessment, but by the assessment made by Government officials we find that there has been an increase of Rs. 20,000; that is not much in a municipality whose income was previously Rs. 1,34,000. Mr. Birley knew perfectly well that there was a general complaint all over the town regarding these assessments, and it is quite evident that under the new *régime* of the Municipal Commissioners the poorer people have been very much over-assessed than on previous occasions, and a smaller number of people have been under-assessed with the result that the municipal income has not materially improved. The question involved is not the good work of the municipality—I think that the present Municipal Board with its energetic Chairman who devotes his whole time to the municipal work and can afford to do so will do very good work—but the question is about the dignity and prestige and the power to be exercised by the rate-payers.

We feel ourselves humiliated before other municipalities and we protest against that humiliation. We want that the Municipal Commissioners should know that every tax-payer is their master and that they are responsible to

*Resolutions.**Maharajadhiraja Bahadur of Burdwan.*

every tax-payer for their conduct. They should not sit on the Board with the idea that their nomination and appointment as Municipal Commissioners depend on the good will of the Government officials, at whose hands rests the appointment of Municipal Commissioners.

Above all, my Lord, it will not always be the good fortune of the citizens of Burdwan to have a sympathetic and liberal-minded Collector as Mr. Birley and the Hon'ble Member-in-charge who has got a special interest and a special advantage of knowing Burdwan and its people well.

With these observations, I commend this resolution for the acceptance of this Council."

[The Council was then adjourned for lunch.

The Council reassembled after lunch.]

The Hon'ble the Maharajadhiraja Bahadur of Burdwan said :—

"My Lord, like Mr. Dick and King Charles' head the Maulvi Sahib and the Burdwan Municipality have put in an appearance in the Council Chamber again to-day. Just about a year ago on the 26th of November last, the Hon'ble Mover of the present resolution recommended to the Governor in Council that the orders of supersession of the municipalities of Burdwan and Hooghly-Chinsura be reconsidered and withdrawn. Unfortunately, owing to illness, I was unable to be present on the occasion and for that reason the brunt of giving the reply and defending the Government's action had to be borne by Your Excellency. I find, however, from the proceedings that while the case of the Hooghly-Chinsura Municipality roused some considerable sympathy from the non-official members of this Council, the case of the Burdwan Municipality was espoused in a distinctly non-committal and half-hearted manner not only by those Hon'ble Members who supported the resolution, but by the Hon'ble Mover himself. In fact, to use Your Excellency's own words, the Maulvi Sahib in his speech on that occasion 'damned the municipality and the erring Commissioners with faint praise'. It is true that he urged extenuating circumstances and while admitting certain faults pleaded that the extreme measure of supersession was not called for. It was mainly, however, for the rate-payers—regarding whom he has spoken with some fervour again to-day—that he took up the cudgels stating that the new Ratepayers' Association had been formed to fight against the apathy and neglect of Municipal Commissioners and to better the administration of the municipality. He contended then, and he has contended to-day, that even if the Municipal Commissioners had been guilty of gross neglect and misconduct there was no justification for disenfranchising a whole body of rate-payers because of the folly or stupidity in electing these men. My Lord, to-day the Maulvi Sahib has really brought out nothing new to support the view which he expressed when he moved his resolution about a year ago, although, of course, he has complimented Mr. Birley, the late District Magistrate and Collector, on the selection made by him, but has tried his best to lay it thick on the Government as to the inability on their part to put things straight during the year that the Burdwan Municipality was under Government management, forgetting that when the Government took over the management it found it in perfect chaos, and that it was not possible for them to straighten out things during the short period that it was under Government administration.

I find from the proceedings that the Hon'ble Maulvi Fazlul Haq, who in supporting the resolution moved by the Hon'ble Maulvi Abul Kasem last year, supported it mainly on the ground that the decision arrived at, if

*Resolutions.**Maharajadhiraja Bahadur of Burdwan.*

pursued to its logical length, meant the deathblow of the progress of self-government and development of self-governing institutions in general. The Maulvi Sahib moved his resolution and his main argument was the humiliation of the rate-payers and the taking away of the privilege which the townsmen of Burdwan have long enjoyed. Your Excellency speaking on the resolution made the following remarks :—

“Far from regarding our action as likely to discredit the capacity of the people for managing their own affairs, it seems to us that when we did find obvious and glaring cases of maladministration covering a long period of time, it would be to the advantage of the cause of self-government if we showed that we should not overlook matters of this kind.”

Your Excellency also remarked in reference to certain statements made by the Hon'ble Mover of that resolution that you had never regarded Government's action as a punishment but rather as a service rendered by Government to the public. Now, my Lord, it is easy for the Hon'ble Mover of the present resolution to ask this Government to let bygones be bygones in view of the fact that the municipality has for over a year been administered by an official agency, and more particularly in view of the fact that the old *regime* or rather the small ring of self-seeking men who have made the administration of this town a scandal, have since, by the action of Government not only been relegated to private life, but also, I venture to think, in the opinion of all right-thinking men have been discredited by the facts which I shall presently disclose—I repeat that in view of these circumstances, it is easy for the Hon'ble Mover to urge Government to give the municipality a new trial and to show its faith in local self-government by trusting the electors of Burdwan once more. In reply to the earlier resolution, Mr. O'Malley had urged that there was no guarantee of a straight election being obtained while the influences which were corrupting the municipal administration remained unimpaired. At the same time Mr. O'Malley pointed out that the official agency which was then directing the affairs of the municipality could not reasonably be expected to clean up the *Ægean* stable within the short space of time which they had up till then enjoyed and it is certainly borne out by the fact that from the report from which I shall give extracts, it has not been possible for the Government to straighten out things in the way that it might have been possible had the municipality been in Government administration for a longer period. It is easy to suggest that if Government claim that the official administration of the past year has been efficient as indeed I shall in the course of my speech assert in spite of the statement made by the Hon'ble Member, there should now be no objection to restoring to this unfortunate municipality its old constitutional privileges. My Lord, I propose to deal with these general considerations at a later stage in my speech. At the present moment I desire to take this opportunity of justifying Government's action in October 1918 by submitting for the information of this Council the deplorable facts which our later enquiry have brought to light. I am reluctant to rake up these memories, but I feel constrained to do so. Government, indeed, felt that having for many years past, and particularly since 1918, been compelled so frequently to condemn the maladministration of this municipality, we should have been glad to have allowed the whole matter to sink into oblivion, but the Hon'ble Member's resolution, although it does not expressly question Government's decision for superseding this municipality, has, from the remarks which have been made, clearly implies that Government shows a want of discretion and a lack of sympathy with the cause of local self-government by continuing to withhold from Burdwan the full enjoyment of its ancient privileges. Now, it seems to me that it is very essential that we should set ourselves right in this matter in the eyes of the impartial critics, and after a careful deliberation I have come to the opinion that I shall be doing a

*Resolutions.**Maharajadhiraja Bahadur of Burdwan.*

public service in setting out some of the facts upon which our present course of action is based, thereby, I hope convincing this Council that Government would be acting unwisely at the present time in accepting the Hon'ble Member's resolution.

I shall begin, my Lord, by some brief quotations from Government resolutions reviewing the municipal administration in Bengal. It is not correct for the Maulvi Sahib to say that up to about a year ago the Burdwan Municipality was patted on the back for its good administration. The resolutions of 1901-02 stated that collections in Burdwan were unsatisfactory. In 1902-03 the Lieutenant-Governor stated that practically all the municipalities in the division showed improved results except that of Burdwan. Again in 1909-10, after referring to the state of the collections in this municipality, the Lieutenant-Governor in Council went on to remark that he trusted that no time would be lost in remedying this discreditable state of affairs which was marked upon in the resolution for 1908-09 also. In 1910-11 after referring again to the discreditable collections, the resolution made the following remarks:—'Reviewing the municipal administration of the year as a whole, it appears that in the Burdwan Division the two worst managed towns are Burdwan and Midnapore.' In 1911-12, it was stated that 'Burdwan and Midnapore are again unfavourably mentioned by the Divisional Commissioner as the worst administered towns in the division.' In 1913-14 the resolution stated that the Burdwan Municipality, which, however, had passed through a period of serious strain owing to the Damodar floods, was the subject of unfavourable comment. The audit of its accounts has revealed a most unsatisfactory state of affairs. In 1914-15 it had an abnormal outstanding balance of Rs. 35,000 and again in 1915-16 we were told that 'of Burdwan it is reported, very little good can be said.' In 1916-17 the resolution states that the 'municipality is criticised by want of control over the municipal staff, inefficiency and waste of public money.' In 1917-18 affairs came to such a pass that the District Magistrate deputed a Deputy Magistrate to enquire into the affairs of this municipality. The enquiry was obstructed by the municipal executive. Papers were suppressed and the municipal engineer who made certain statements to the District Magistrate was dismissed at a subsequent meeting of the Commissioners on the ground that the municipality could not afford so expensive an officer, although the same question had been considered and decided in an opposite way within six months previously. The Deputy Magistrate's enquiry was necessarily incomplete, but the information disclosed such a shocking state of affairs that Government decided to supersede the Commissioners and to order a fresh and more formal investigation. It was considered that the enquiry required a knowledge of accounts and a capacity to weigh evidence, and that it should be conducted by a special committee consisting of an accounts officer deputed by the Accountant-General, Bengal, and an experienced Deputy Magistrate. Babu Hem Kumar Mallik, Deputy Magistrate and Babu Bhupendra Nath Chaudhuri, local auditor, were accordingly selected to hold the enquiry. They were instructed to investigate the various irregularities and malpractices that had occurred and so far as possible to ascertain who were responsible for them, and to advise whether any action should be taken against them. Their particular attention was directed towards the reduction and valuations, the remission of taxes, arrears of collection, municipal contracts for miscellaneous articles and especially the issue of licenses and non-disposal of petitions. The report of this Committee was received by the local Government in May last, and I think it advisable, especially when the Maulvi Sahib has asserted as he has done to-day that the Government had no justification for the steps they have taken, to refer briefly to certain abuses which it disclosed. The last election of this municipality took place in 1915-16 and the previous election in 1912-13. All the Commissioners excepting 5 out of 22 were re-elected.

*Resolutions.**Maharajadhiraja Bahadur of Burdwan.*

The former Chairman and Vice-Chairman were also re-elected. The report states that a clique was formed of certain of the Commissioners which succeeded in shaping the policy of the Board. Some of them, we are told, took undue advantage of their position in the matter of assessments, house connections, licenses, etc., and otherwise crippled the resources of the municipality. It is said that they generally conducted the affairs of the municipality by mutually helping each other, and as the Maulvi Sahib is perfectly aware, as he comes like myself from Burdwan, that in the end the municipality became a sort of Mutual Admiration Society. The Committee had reason to believe that doubtful and unworthy means had been employed in securing votes. A rising pleader of Burdwan stated that when he sought for election he was asked by certain voters to present them with a harmonium for their theatrical party and to spend a considerable sum in improving a religious building. He refused to comply with those requests and retired from the election. It is stated that some of the Commissioners obtained privileges for themselves and favours for their friends. I need not mention their names because the Hon'ble Maulvi Sahib as well as myself know their names. The committee quote an instance of an unimportant lane in which a Commissioner lived being first converted into a jhama road and subsequently macadamised. Three shop-keepers were prosecuted for selling bad ghee. All three samples were declared by the Sanitary Officer to be adulterated, but the case against one of them who was the son of a Municipal Commissioner was dropped and the cases against two others were pressed. One Commissioner recommended that several of his relatives, who were in good circumstances, should be given reduction of their assessments. This application, however, was not disposed of before the supersession of the municipality. The assessment was revised and a quarterly increase of nearly Rs. 8,000 was obtained. Of this amount Rs. 6,500 was given up and in the opinion of the committee wrongly given up by the executive committee. Some of the Commissioners obtained reductions on the assessments of their own properties. These cases have been carefully examined by the committee who in almost all the cases held that the revised valuations were fair and that no reductions should have been made. It might be said that that was one of the reasons why Government took action, but I must mention on the other hand that assessment for every Government building was allowed to go up. As regards private houses, in some cases remissions were granted, although the holdings never fell vacant, and in others there was no proper system for obtaining information when vacancy ceased. The outstanding arrears on the 31st October 1917 were nearly Rs. 65,000, and most of this sum was arrears of long standing. The collecting sarkars are said to have been very apathetic and there was laxity of supervision. Warrants were not issued and if issued were allowed to accumulate and remain unexecuted and in numerous instances there was not good reason for the heavy arrears as shown by the fact that the current taxes in many of these cases were collected. The committee makes the inference—I cannot say of course whether it is justified or not—that the realization of old arrears was not pressed as it might have alienated votes. Perhaps the Maulvi Sahib may know better than the committee. All roads were in bad repairs and there seems to have been little supervision over the conservancy staff. The Maulvi Sahib says that the drains have not been flushed for the last 12 months, a fact entirely erroneous, though I may also remind him that Government occupation of the municipality was not for fully 12 months. Out of 3,025 feet sewers, 1,300 feet was at the time of the supersession unworkable owing to portions of sewers being broken and so blocked up. Conservancy carts were in a most unserviceable condition and the trenching ground, as the Hon'ble Member knows, was a perfect nuisance. The Committee found no proper method of checking expenditure on road repairs. The water-supply suffered

*Resolutions.**Maharajadhiraja Bahadur of Burdwan.*

from the indiscriminate granting of new private connections against the advice of the Sanitary Engineer. The office registers were sadly neglected and petitions of complaint appear to have been thrown aside and disregarded. I think the Maulvi Sahib once came and told me himself that this was the case. The record-keepers' papers lay in a disorderly heap. Valuable stores were left in charge of a man on Rs. 11 a month who knew no English and could hardly write legible Bengali. His stores account was apparently never checked. The contract system for the supply of miscellaneous articles is said to have been a 'huge scandal' and the committee, while unable to state how much the municipality had been cheated of, are satisfied that fraud had been practised on an enormous scale. The system which the Chairman introduced was to allow the contractors 5 per cent. advance on the rates supported by the Calcutta firms. Bills were supposed to be substantiated by sub-vouchers showing the price at which the contractors had purchased from the Calcutta firms. It appears, however, that the office merely checked the advance of 5 per cent. and made little attempt to check the sub-vouchers. The contractors had in some cases got blank forms of Calcutta tradesmen and, after filling them up and signing the name of the firm, supported their bills by these spurious sub-vouchers, while in other cases they altered the figures in genuine invoices submitted by Calcutta firms. The accountant and the two contractors have recently been prosecuted—the former was convicted but acquitted on appeal, the two latter have pleaded guilty and have been convicted. In one case a purchase was made from a Calcutta firm for Rs. 25 but the invoice, purporting to have been issued by this firm but repudiated by them in Court although actually written on one of their forms, showed that the purchase was made for Rs. 60. In another case the same thing was done in which the municipality was charged Rs. 699 odd, *i.e.*, 5 per cent. advanced on the alleged invoice price of Rs. 666-8, although the Calcutta firm had actually been paid only Rs. 432. Another printed sub-voucher in which the form was genuine but the entry fictitious was produced to support a claim of Rs. 378, although the articles had actually cost the contractor Rs. 184. I could cite many other instances of gross frauds. I suggest that the fact that such crude devices should have been successful argues either complicity or gross negligence on the part of the municipal executive and staff. It may be argued that an Honorary Vice-Chairman could urge extenuating circumstances if he failed to check the detailed accounts of his office. I do not admit that argument since it must be held that any persons accepting the privileges of a public office must consent also to shoulder its responsibilities. Moreover, it is to be remembered that in the present case the irregularities had frequently been brought to the notice of the municipal executive. There was no excuse for the undue advantages which some of the Commissioners were allowed to take of their position. One Commissioner obtained a house-connection in 1915 without the payment of the usual fee of Rs. 125. The money was paid on the 2nd October 1918—the date of supersession. The Vice-Chairman obtained a house-connection for which he paid the fee on the same day, *i.e.*, the 2nd October, the date of supersession. In both those cases the ferrules were larger than the house-connection rules allowed. Another Commissioner had not paid the fee till May last for a connection obtained in 1914.

My Lord, I have gone into these unedifying details at perhaps some unnecessary length, but I feel that it is my duty to convince this Council that the maladministration of this unfortunate municipality had attained to such scandalous heights that very drastic action was essential.

I have recently seen the Administration Report on the working of the Burdwan Municipality during the year 1918, which includes the period of six months during which the municipality remained under supersession. I find

*Resolutions.**Maharajadhiraja Bahadur of Burdwan.*

that the total receipts for the year exceeded those of the previous years by Rs. 5,595 while the general revision of assessment carried out by an outside assessor has given an annual increase of Rs. 27,181 which is, however, liable to reduction on appeal. The financial position of the municipality has, therefore, improved and the District Magistrate thinks that its routine administration is better. It cannot, however, be expected that the huge arrears which have accumulated can be immediately realized or that the neglect of years can be remedied in a few months.

I should now, my Lord, like to deal with certain general considerations which the Hon'ble Member in moving his resolution has submitted to this Council. In the first place I would submit that it was impossible for Government, in view of the grave malpractices by which the municipality's administration has been characterised, to run the risk of having any of those particular Commissioners, who have been pilloried in the report which I have quoted, as Commissioners of the new Board. Under the law, moreover, it would have been necessary to hold elections prior to the supersession of the municipality, so that the new Board of elected Commissioners might be ready to take office as soon as the period of supersession ceased. But there was no time, as it happened, to prepare the preliminaries for an election when Government considered the arrangements to be made after the 2nd October 1919, while the Act does not permit the period fixed under section 65 to be extended. Government, therefore, decided that the municipality should be placed in Schedule I and the new body of Commissioners therefore nominated.

It might be suggested that as the interval, subsequent to the period of supersession, has now been tidied over, it will be possible for Government to have preparations made for an election. The present Board of Commissioners could carry on while the preliminaries are being duly carried out. I submit, however, that it is impossible for Government to suggest to the gentlemen who have shown sufficient public spirit to take on, at the request of Government, the thankless task of putting this municipality straight, that they should within a few months of their appointment be dismissed with thanks in order to make room for an elective body. I am not sure that the Hon'ble Mover of this resolution has realized the invidious position in which he wishes to place Government.

We are grateful to those gentlemen, among whom the Hon'ble Maulvi Sahib is one, for having accepted what I have termed a somewhat thankless task and it would, therefore, to my mind be an ungracious act indeed on our part to give them an unceremonious congé when we did not see—at least some do not—any further use for them. Moreover, whilst being a townsman of Burdwan myself, I do not in any way wish to run down the intelligence of the electors there; yet in view of what did happen and may easily happen again, knowing as I do Burdwan, I doubt if the public can altogether rely on these electors to select the best representatives. The past history of the municipality certainly does not tend to give us confidence in this behalf. The Hon'ble Mover is probably aware, as he himself has said it, that Mr. Birley took the utmost pains to consult public opinion in sending up his nominations. He consulted the leading associations and received a deputation representing the trade interests of the town. His nominees in practically all the cases are included in the lists of suitable persons which were handed in by the bodies concerned. Of course, I recognise that a nominated Board, however well selected and however representative it may be, is still not the same thing as an elected Board to a town which has so long enjoyed the privilege of election. I also recognise that by placing this municipality under Schedule I, Government are compelled to cast, so to speak, a slur and an indignity upon the citizens of Burdwan which many of them will naturally resent. But, nevertheless, in view of the facts which I think it is my duty

*Resolutions.**Maulvi Abul Kasem.*

to lay before the Council, although it is not the intention of Government to keep this municipality indefinitely in Schedule I, on which head the Hon'ble Maulvi Sahib seems to have some apprehension, I think that Government must refuse to bind themselves by any promise to restore it at a given date. I can only say that Government will anxiously watch its progress under the new régime, and will, at the earliest practical moment, only readily restore to the rate-payers their old privilege. I also think that the public should have an opportunity of judging as to whether in making selections to the present Board, Government have really not done them a good turn; for we have included in the new Board not only some of the best men available but mainly or largely persons recommended by the different public bodies in Burdwan who were consulted by the District Magistrate, and who, I have every reason to believe, as the Hon'ble Maulvi Sahib himself knows, are satisfied with the selections made.

For these reasons, my Lord, I recommend to this Council that the resolution be thrown out."

The Hon'ble Maulvi Abul Kasem said :—

"My Lord, with reference to this resolution, I occupy a very unfortunate position. When I moved this resolution I said that I felt that it was an indignity and an undeserved indignity thrown on the people of Burdwan; but the question of the honour, the dignity and the interests of the citizens of Burdwan is of great concern also to the Hon'ble Member in charge—and in fact of far greater concern to him than to an individual like myself—and if I am in a rather unfortunate position of moving this resolution it is simply because the Hon'ble Member-in-charge is now a Member of the Government and does not sit on the non-official side.

My Lord, I did not enter into the details regarding the order of supersession, nor did I at all mean to question the justice or the reasons for that order which is now an old story. But the Hon'ble Member-in-charge has taken the trouble to read some extracts from the report of the Commission that sat. I admit, and admit fully, that all these instances which he has read out are no doubt deplorable instances, and that it is a disgrace to my fellow-citizens and fellow-countrymen in Burdwan. But, at the same time, I submit my Lord, that the report is still incomplete and many other instances have been left out. I know of many other instances, and I offered myself to Babu Hem Kumar Mallik to give my evidence, but I was told that I would be called later on and the inquiry was finished without taking my evidence. I know also that this was the case with several other gentlemen whose evidence was not taken.

My Lord, the Hon'ble Member-in-charge has referred to some leagues or cliques that were formed to put a particular body in power. So far as the last executive of the municipality were concerned, the question how they were elected is known to the Hon'ble Member-in-charge as well as to myself. But so far as the Chairman and Vice-Chairman were concerned, they were elected not through any cliques but through untoward circumstances.

Instances have been given that house-connections have been surreptitiously taken. But I can remind the Hon'ble Member that there are instances in which separate connections have been taken in entire violation of rules. I know of instances in which a gentleman, who exercised his influence as a Municipal Commissioner, has got his holdings—not one or two, but several—miserably under-assessed, and under the fresh assessments, they have been again under-assessed. These holdings are inhabited by public officials who pay a known rent and in spite of this fact, they have been miserably under-assessed. Still these gentlemen have been

*Resolutions.**Maulvi Abul Kasem.*

appointed Commissioners by Your Excellency's Government. This thing has happened always and I do not grudge it, because Mr. Birley in making his recommendations consulted various public bodies and associations and accepted their recommendations. So I do not grudge their being on the Municipal Board; and I admit that these mistakes occur, whether the Municipal Commissioners are elected by the rate-payers or are appointed by the Government.

As I began by saying that, speaking as a Mussalman, which community I represent in this Council, and I repeat what I said before, we are deeply grateful to Mr. Birley and to the Hon'ble Member-in-charge as we have been placed in a very fortunate and favourable position on the new Board. But what I say is, I said it before and I say it again, that it is the question of the disenfranchisement of the whole town without justification that we do not like and we ask that the slur should not be allowed to continue any longer. If the name of Burdwan is not removed from the First Schedule now, I do not know whether we shall occupy the same position on the next occasion when the opportunity arises. The Hon'ble Member says that we should give the new Board a trial and watch its progress. I naturally expect, my Lord, that after a year or two when the report will be favourable, as this Board has fortunately got a very energetic youngman as its Chairman who can devote, and can well afford to devote, his whole time to the work of the municipality and who does the work of the municipality with a devotion worthy of the dignity of a town like Burdwan, it will turn out very good work; that fact will be a justification for Government allowing the name of the Burdwan Municipality to stand in the First Schedule. The Government will naturally say—'Here is a Board appointed by Government and it is working very well. It should, therefore, be allowed to work on.' That is my apprehension, my Lord. The Hon'ble Member has said that we have got a Board which is working very satisfactorily; but I can tell him that he does not live in Burdwan and does not know that we had to meet with great difficulties and had to get up conspiracies in getting this very gentleman elected as the Chairman of the Municipal Board, outside the Municipal office in the open camping ground, and that it was after a good deal of struggle that we managed to get him elected as Chairman. Otherwise, the nominee of the gentlemen who are responsible for our late misfortune and disgrace would have managed to get himself elected as Chairman. It was on account—and I claim some credit for it—of the bold stand made by the Muhammadan Commissioners that we managed to get this energetic youngman elected as Chairman.

The Hon'ble Member had said that corruptions were attempted at the general election of the rate-payers. I know, my Lord, that this gentleman has done us a favour by accepting the Chairmanship of the Board and that attempts were made to corrupt the Municipal Commissioners to vote for a particular gentleman as Chairman. Of course, that attempt was frustrated.

The Hon'ble Member has referred to the fact that a certain theatrical party asked for a harmonium. I know of the instance and I was present at the time when the request was made. But it is well known that such things happen, and on the particular occasion the candidate, whose cause I was espousing, sternly refused to come to terms with these people. In all countries where elections are held bioscope-shows and grants in aid to charitable objects are given, as these go to help towards the election. These things are not peculiar to Burdwan itself. But I claim it to the credit of the citizens that the candidate sternly refused to comply with the request that was made. We must, however, take into consideration by whom the request was made; it was made by a band of vagabond youngmen who employ most of their time in theatrical music and do no work.

*Resolutions.**Maulvi Abul Kasem.*

I might cite another instance in which a religious shrine was offered to be rebuilt by a candidate for municipal election ; he offered to rebuild a Muhammadan shrine or tombstone and to surround it by a wall and to pay for it ; but it must be said to the credit of the rate-payers of that particular ward that they refused the offer, although as a matter of fact they were raising subscriptions for the object. Of course, I know of another instance in which corruption was employed and some people were bribed to vote. I confess that such things did happen and do happen even now, and it was for the prevention of these corrupt practices that we started the Ratepayers' Association. Admitting that we did commit a mistake and that we have been guilty of corruption, it is the duty of the parental Government to educate the people to exercise their rights and not to disenfranchise them as was done on the last occasion. At the time of the last election, as the Hon'ble Member has stated, in 1916, we brought to the notice of Mr. Marr, who was then the Collector of Burdwan, a specific instance of bribery, and the result was that Mr. Marr wrote in so many words that under the Bengal Municipal Act corruption was no offence, that it did not invalidate an election, and that he could not therefore interfere. I took the written statement of Mr. Marr to Mr. K. C. De, who was then Secretary to the Municipal Department and it was then placed before the Hon'ble Nawab Sir Syed Shams-ul Huda, who promised to take up the matter at the time of the next amendment of the Bengal Municipal Act. I beg to ask the Hon'ble Member whether these people, who were guilty of attempting to corrupt and were guilty of corruption, have all been eliminated from the present Board. He has referred to my personal knowledge and I respectfully take his word. He knows as well as I do that the present Board has not been cleared of these people, and I therefore claim that no Board can be perfect. I submit that this Board is quite as good or as bad as the previous one, with the exception of Muhammadans who are in the best position. What we feel, my Lord, is that the stigma and slur cast on the people of Burdwan should not continue.

The Hon'ble Member has referred to the cliques and combinations which were made to put somebody on the Board and to have a sort of Mutual Admiration Society. I would like to know from the Hon'ble Member whether the elected members only of the last Board which was superseded were a party to these cliques and combinations, and whether the present nominated members were not as good a party as the elected members themselves. In fact, one of these parties or cliques is now represented by a member who was nominated by the Government. It was in the Raj Palace itself that the whole exposure took place in the presence of the Hon'ble Member himself. There is another point with reference to these gentlemen that we cannot afford to do without them ; they are men of influence and unfortunately they exercise their influence in their own interests and in those of their relatives, and although I move for the withdrawal of the order of supersession, I submitted then and I repeat it now that they did exercise their influence then and do exercise it even now, whether outsiders are appointed as assessors or whether they are appointed by the municipality.

It has been remarked that the Municipal Engineer was dismissed because he complained to the District Magistrate. I submit that although I have not been a Municipal Commissioner for about 6 or 7 years prior to the supersession, I have taken some interest in municipal affairs—I did find that the Municipal Commissioners were not going straight. I in consultation with some of my friends started the Rate-payers' Association. I may submit also that for some time past the question of the staff maintained by the municipality has been engaging our attention. We have found that the staff employed are somewhat expensive and the question was whether so many men should be employed by the Municipal Board.

*Resolutions.**Babu Kishori Mohan Chaudhuri.*

The fact is that the old Municipal Board appointed many men whom they liked and it was due to the Mutual Admiration Society, because the Municipal Commissioners always wanted their protégés to be appointed. Therefore, we wanted to sit on judgment on them, and the Municipal Engineer was one of the officers whose services at least, I still maintain, the municipality does not require. Burdwan is not a town like Calcutta or Dacca or Howrah that it requires a skilled engineer: an ordinary Upper Subordinate Class man, who can put the roads in order, can manage its work. Whenever there is a big scheme, *e.g.*, of an overhead water tank, the municipality generally indents for a man from the Sanitary Engineer and it has to pay for him. What is the good, therefore, of keeping a highly-paid engineer. I may submit, that the engineer did make some statement to Mr. Birley; but the engineer was himself a member of the party at that time. I admit, my Lord, that, at the present moment, we, the Mussalmans of Burdwan, find ourselves in an absolute majority on the Municipal Board and are therefore in a very good position to-day.

With these observations, and after what has fallen from the Hon'ble the Maharajadhiraja Bahadur, I do not think that it will serve any useful purpose, in a house like this, to press this Resolution; and I therefore beg leave to withdraw it."

The motion was then, by leave of the President, withdrawn.

LIST OF BUSINESS—ITEM No. 12.

The Hon'ble Babu Kishori Mohan Chaudhuri moved the following resolution :—

This Council recommends to the Governor in Council—

- (a) that immediate steps be taken to improve the professorial staff of the Rajshahi College, specially in English, Philosophy and Physics, and that the College be affiliated in the Economics Honour Course and the Botany Pass Course; and
- (b) that early arrangements be made for providing gradually post-graduate studies in Chemistry, Physics, English, Mathematics, Philosophy, History, Sanskrit and Persian and for reopening the B. L. Classes in the said College.

He said :—

"My Lord, I do not think that I need detain the Hon'ble Members for long on account of this resolution because for some time past I have been dealing in this Council with the Rajshahi College, and I hope I have thereby and by my last Budget speech specially already made it sufficiently clear that the Rajshahi College, though it does not suffer in any way in comparison with the Dacca College in so far as the number of students, percentage of success, etc., are concerned, yet it suffers very much in comparison with the Dacca College in point of professorial staff and other educational facilities, and, for the matter of that, in point of Government expenditure per head of student. The fee rate of the Rajshahi College was Rs. 4 some time ago and it was raised to Rs. 6, and the reason then given by the Government was that it was done with a view to uniformity. But, my Lord, it is certainly a matter of great regret that the uniformity was sought for only with regard to the tuition fee, and, not to speak of any corresponding uniformity in the matter of educational facilities and other advantages, the little that was good in the Rajshahi College is being gradually taken away. I have been complaining of this for long; but, my Lord, I must say that I have been unheeded. The Rajshahi

*Resolutions.**Babu Kishori Mohan Chaudhuri.*

College had for its Professors in English, Philosophy, Physics and Sanskrit some of the best men in the University, and now for some time past in all these subjects the professorial staff is far beneath that standard which even prevailed there only a few years ago. I also tried in my capacity as Secretary to the Rajshahi Association to impress upon the departmental authorities, but all my efforts could not be of any real use. And therefore as a last resort I have brought this matter by way of appeal to the Hon'ble Members and to Your Excellency specially. Your Excellency is going to visit Rajshahi very soon. Your Excellency will, I hope and trust, be able to see personally the present condition of the Rajshahi College and its special requirements in the light of the few facts I have already placed and am now placing for Your Excellency's consideration. Of course, the Rajshahi College has grown to its present status under absolutely Indian management, and it is very creditable to those very able officers who have helped in its development. I say this as I do not wish to be misunderstood. What I complain of at the present moment is not so much against those gentlemen who are now engaged in teaching in the Rajshahi College as against the policy of engaging Subordinate Educational Service men on tuition work in the college classes especially in the B.A. classes. What I want for the Rajshahi College is that the tuition work should be entirely managed with Provincial Educational Service men under the guidance of an experienced professor of proved ability on higher pay for each subject, and the Principal and at least one senior professor should be persons promoted to the Indian Educational Service which will be an incentive to meritorious work among the professors. I beg humbly to suggest further in this connection that whenever there is to be a transfer or vacancy caused by retirement or any other event, the vacancy should be filled up by an equally efficient man, and to my mind, in case of transfer of an efficient professor, the problem of an equally efficient successor should be first considered, and until one is available the transfer ought not to take place. I may cite here the case of the transfer from the Rajshahi College of Babu Hem Chandra De, Senior Professor of Philosophy. He was transferred, so far as we can judge, without any arrangement being previously made for an equally efficient man to go in his place. The result was that the Philosophy class suffered much. Without any reflections upon anybody, I may safely submit that the arrangement now made is very unsatisfactory. Out of the three Professors for Philosophy and Logic two are Subordinate Educational Service men and the third has just been promoted to the Provincial from the Subordinate Educational Service. Before this, Babus Hem Chandra De, Krishna Chandra Bhattacharyya and Ambika Charan Mitra were in the post of the senior professor of Philosophy—they are, without doubt, distinguished professors of ability of a very high order. So far as English is concerned, I need only say that the result in that subject in recent University examinations has been extremely unsatisfactory. In my support I cannot do better than to quote from the report about the Rajshahi College by the Hon'ble Sir Deba Prasad Sarbadhikari and Mr. Jnan Chandra Ghosh, dated the 22nd January 1919, and from that by Mr. J. N. Das Gupta and Mr. Jnan Chandra Ghosh, dated the 17th September 1917. In recommending an additional teacher for English Sir Deba Prasad and Mr. Ghosh say that 'in making the appointment care should be taken to strengthen the quality of the staff' and Messrs. Das Gupta and Ghosh in their report of 1917 remarked that 'the failure in English in 1917 has been very heavy. Out of 171 students sent for the I. A. Examination 101 failed in English, 50 failing in this subject only. Out of 127 students sent up for the B. A. Examination 64 failed in English, 27 failing in this subject only.' I may add that though the teaching of English is admittedly defective in the Rajshahi College still the present tutorial staff for English consists of three officers of the Subordinate Educational Service

*Resolutions.**Babu Kishori Mohan Chaudhuri.*

and two only of the Provincial Educational Service. Then, as regards mathematics, when Babu Rajmohan Sen retired the Rajshahi Association approached the Government and got an assurance that 'an endeavour will be made to send a fairly senior professor in his place.' But at last one had to be promoted to the Provincial Educational Service, so far as I remember, for being sent to the Rajshahi College. I must, however, make it clear that I am not making any reflection upon the ability of the new gentleman. I am informed that he is an able man and I am glad that he has been promoted to the Provincial Educational Service. But what we wanted was that a senior professor should have been either appointed or transferred to be at the head of the tutorial staff in Mathematics. Another complaint is that no research scholarship is provided for in the Rajshahi College. Dr. Neogi, the officiating Principal, is himself a man of great reputation in the field of chemical researches, but he has got no assistant to help him in that work. To sum up this part of my address—what I submit is that now that the Dacca College is being converted into a University, the Rajshahi College is undoubtedly taking the first place among the mufassal colleges and in that view it is but fair that it should be maintained in that high level of efficiency which is consistent with the position it already occupies. I must frankly confess that of late there has been a serious apprehension in the minds of the Rajshahi public that if the present state of things in the Rajshahi College continues, it will in no time lose much of the development it has made during the last twenty years. We do not see any reason why the interests of the Rajshahi College should be sacrificed or overlooked in the interests of any other institution. Only three or four years back the Rajshahi College was cheap for the students and its professorial staff was of a superior order, but now that the tuition fee has been increased by 50 per cent. the tutorial staff has been materially brought down, and the only result of the increment of the tuition fee is, I am sorry to say, that the Government grant has been diminished by nearly twenty thousand rupees.

It will not be quite out of place, if in this connection I draw the attention of the authorities to the very sympathetic suggestions of the Hon'ble Sir Deba Prasad and Mr. Ghosh in their report about the Rajshahi College referred to above. I might be permitted to quote a few lines: 'To speak of only a few of the many present needs. The Principal and the Professors have no quarters, the hostels are defective and inadequate, the Chemistry laboratory is not up-to-date, the class rooms are insufficient and there is no library worth the name, nor a much-needed covered gymnasium. The students during their intervals have to rest under the trees, healthy and pleasant when the weather is favourable, but absolutely the reverse in other circumstances.'

On a previous occasion I referred to the desirability of the Professor of Economics of the Rajshahi College to be in the Provincial Educational Service. The College has been affiliated in Economics for the last seven or eight years, and it is high time that a further development should be made by also providing for the study of that subject in the Honours course.

In my resolution I have asked for the affiliation of the College in the Botany pass course. At present there is no arrangement for study in that branch in the Rajshahi College, though there was such an arrangement some years back under the old regulations North Bengal is pre-eminently an agricultural tract, and in order that the study of scientific agriculture, which is so much needed in that part of the country, especially for the benefit of the Muhammadans who form the majority in the division, may develop, the affiliation of the College in Botany is urgently necessary.

Then, my Lord, as regards the second part of my resolution, I may be permitted to inform Your Excellency and the Hon'ble Members that the question was raised a long time ago and there was much correspondence and

*Resolutions.**Babu Kishori Mohan Chaudhuri.*

discussion about the proposal between the Rajshahi Association, the Governing Body of the College and the Director of Public Instruction. The Director referred the matter to the Governing Body of the College with certain proposals by his letter No. T-437, dated the 28th October, 1916, and the matter was considered by the Governing Body, who approved of the proposal of opening of M.A. and B.L. classes in their meeting held on the 24th December, 1916, and reported to that effect to the Director of Public Instruction in their letter No. 1014—32, dated the 25th January, 1917. At the time the only difficulty that was felt was the question of funds for the recurring expenditure. But there was an offer of Rs. 50,000 from Rani Hemanta Kumari Debi of Puthia and another offer by the Raja Bahadur of Dighpatia and his brother Kumar Basanta Kumar Ray through the Rajshahi Association, for the construction of a building estimated at about Rs. 50,000. The Rajshahi Association also undertook to provide additional buildings for the purpose and the question of funds for the recurring expenditure has also now been solved by the raising of the College fees from Rs. 4 to Rs. 6 a month which has given an increment of nearly Rs. 16,000. Now there are arrangements for M.A. and B.L. classes in the mufassal in the Dacca College which is going to be converted into a University. So the necessity for providing for such study in the mufassal will soon arise. At Rajshahi there were M.A. and B.L. classes before; the new arrangement under the University Commission report is likely to take time. In the meantime I hope the Rajshahi College will be granted the boon for which the public is so eager and ready to contribute materially. Government, I think, will not have to spend much on this score. A big hostel for the accommodation of students is going to be built, I understand, next year, at a cost of nearly three lakhs including the grant of Rs. 50,000 provided in this year's budget. Hired houses now occupied by the students may, if necessary, be utilised for any additional accommodation necessary for the M.A. and B.L. students. The University Commission also suggests that the Rajshahi College is a fit one to be maintained as a University College to be developed hereafter into a University. In that view also my proposal can be safely given effect to. I appeal to Your Excellency to take the matter into your serious consideration and make the Rajshahi College a self-contained one, and I hope that the Government will accept my proposal.

In this connection I beg to quote from a letter of the Director of Public Instruction to the Governing Body of the Rajshahi College, dated the 28th October, 1916. The letter says :—

‘My personal view with reference to the development of the Rajshahi College is that at the present moment instead of embarking on any new schemes the College should concentrate its attention wholly on the improvement of the work which it is already attempting. The existing accommodation for the students is very defective; and I should have thought that any money which the Rajshahi Association or any other body or persons may be willing to contribute could with greater advantage have been devoted to the removal of this defect.

At the same time I appreciate the anxiety of the people of Rajshahi to create additional educational facilities at the Rajshahi College, and I am prepared to consider favourably any scheme for the opening of M. A. and B. L. classes at the Rajshahi College provided—

- (i) that arrangements both as regards accommodation and instruction of the classes can be made to the satisfaction of the University of Calcutta and the Government of India with whom the final decision as regards the affiliation of the College up to the M. A. and B. L. standards will rest;

*Resolutions.**Mr. Hornell.*

- (ii) that no additional cost is imposed on Government as a result of the opening of the classes and of their maintenance for a period of five years from the date of opening ; and
- (iii) that adequate guarantee will be furnished that the funds which it will be necessary for the opening and maintenance of the classes for five years will be forthcoming.

I have to explain that any extension of the affiliation of the Rajshahi College for which the Department of Education may be willing to approach the Calcutta University cannot take effect before the beginning of the session 1918-19.'

That was in 1916. And although the Rajshahi Association undertook to provide for the accommodation of the building nothing could be done in view of the expected report of the Universities Commission, although the Director of Public Instruction in his letter, dated the 29th March, 1917, addressed to the Governing Body of the Rajshahi College appreciated the public spirit of the Rajshahi people. The letter says :—'I appreciate very greatly the generous contributions with which the public of Rajshahi have come forward, and I fully sympathise with their anxiety to create further facilities for higher education in Rajshahi.' The report is out now, but I believe some time will elapse before effect can be given to it. Meantime I think it is time that something should be done towards opening the B. L. classes in Rajshahi."

The Hon'ble Mr. Hornell said :—

"My Lord, the burden of the Hon'ble Member's song seems to be that Government are grossly neglecting the interests of the Rajshahi College and that he has been repeatedly urging the Educational Department to do something ; over this he has taken about half an hour of the Council's time. All I can say is that since I returned to this province in September last, I have had the pleasure of meeting the Hon'ble Member, but he never mentioned all these grievances to me. I venture to suggest that if he had done so and discussed the matter with me I could have spared the Council a good deal of my reply.

The first part of the Resolution suggests that immediate steps should be taken to improve the professorial staff of the College, especially in English, Philosophy and Physics, and then proceeds to suggest that the affiliation which the College now enjoys should be extended so as to include the Economics Honours course and the Botany Pass course. As regards the existing staff, there are two professors of English and three lecturers. The senior professor is a 1st class M.A. who in his day stood second in the University. His pay at present is Rs. 400 a month in class IV of the Provincial Educational Service. The second professor is a 2nd class M. A. in English whose present pay is Rs. 200 a month in class VIII of the Provincial Educational Service. The three lecturers are all 2nd class M. A.'s in English and the pay of each is at present Rs. 125 in class IV of the Subordinate Educational Service. Government has recently agreed to increase the staff by the addition of a professorship in the Provincial Educational Service. The staff in Philosophy consists of a professor in class VIII of the Provincial Educational Service and two lecturers, one in class I of the Subordinate Educational Service and the other in class IV of the Subordinate Educational Service. The professor is a senior officer of considerable experience who has recently been promoted from a lecturership in the Dacca College. The senior lecturer who is a senior officer in class I of the Subordinate Educational Service is now on leave and is studying in England. A Muhammadan gentleman was appointed to act in his place, but he has recently been transferred to a permanent post at Dacca. It has not yet been

*Resolutions.**Rai Debender Chunder Ghose Bahadur ; Babu Kishori Mohan Chaudhuri.*

possible to fill up the temporary vacancy. The second lecturer is an officer in class IV of the Subordinate Educational Service. The Senior Professor of Physics was, until recently, Rai Kumudini Kanta Banarji Bahadur who combined this work and the work of Principal. The Rai Bahadur is now on deputation with the Calcutta University as an Inspector of Colleges. In his place an experienced officer from the Sibpur College has been appointed to act. There are two Professors of Physics and the holder of the second professorship is a 1st class M. A. who stood first in this University. Thus, before the Rai Bahadur left, the two professors of Physics in the College were the top men of their respective years. There are two Demonstrators in Physics, one in class III and the other in class IV of the Subordinate Educational Service.

Turning to other departments of the staff, which the resolution does not mention, we have asked Government for a temporary additional lecturer in Arabic and Persian and an additional Demonstrator in Chemistry. The Governing Body of the College have not submitted any formal proposals regarding the affiliation of the College either in Economics Honours or in Botany. Certain representations have been received from the Secretary of the Rajshahi Association and these have been sent to the Principal of the College for consideration.

As regards the second part of the Resolution, I am not quite sure what the Hon'ble Member means by making early arrangements for providing gradually post-graduate studies in certain subjects. The proposal for starting post-graduate classes as also B. L. classes was carefully considered by Government in 1917, and it was then decided that no steps could be taken until the recommendations of the University Commission had been considered. The report of the Commission is now before the public and this Government are still awaiting the orders thereon from the Government of India. The Commission have advised a complete reorganisation of University education throughout the Presidency, and until a decision has been arrived at with reference to their recommendations, it is impossible for the local Government to commit themselves to any undertakings with regard to the future of the College."

The Hon'ble Rai Debender Chunder Ghose Bahadur said:—

"My Lord, I have a very little to say as regards the first part of my hon'ble friend's resolution, nor have I much to say as regards the second part in which he asks for facilities for post-graduate studies in Chemistry, Physics etc. I will only speak on that part of the resolution in which he says that early arrangements should be made for re-opening the B. L. classes in the Rajshahi College. No reason has been given why, with the present plethora of law graduates in the country, there should be an additional machinery for manufacturing such graduates in Northern Bengal. I believe that there are at present 10,000 law graduates practising in the different Courts in Bengal, and in one subdivision of Rajshahi I believe there are about 130 practising B. L. pleaders. And I think in the town of Rampur Boalia there is not one hundred but several hundred law graduates practising as pleaders."

The Hon'ble Babu Kishori Mohan Chaudhuri said:—

"No, in Rampur Boalia the number is 70 only."

The Hon'ble Rai Debender Chunder Ghose Bahadur said:—

"I accept my hon'ble friend's statement. But I suppose that no one has complained about the paucity of the number of pleaders there. I believe the law graduates themselves realize now that life, after getting the law

*Resolutions.**Babu Kishori Mohan Chaudhuri.*

degree, is rather dreary, and to multiply the number of lawyers in this country is not a thing which is desirable. There is the University Law College and if the authorities abolish all the law colleges and classes in the country, the country would not be the worse for it. Mr. Hornell has not naturally looked into this side of the question, and the Government letter which has been quoted does not refer to that view of the question. But, my Lord, if you are able during your time to get all the law colleges and classes abolished in Bengal it would be a great thing. If there are no law graduates within the next ten years the country would be better for it. I think that after six years in college a man has to serve his apprenticeship with a pleader, which takes about two years more, and then unless he is very industrious and exceptionally intelligent, he earns hardly any money but gains more wisdom. They take to questionable ways, and I think that if their number is increased and there is more competition, it would not improve the conduct which is required of every member of the bar. I am sorry to have to make this observation as I myself had the honour of belonging to the Bar. Instead of increasing the number of lawyers it is my firm conviction that the law classes should be abolished. There are about 3,000 students studying law at present and over and above this we do not want another class to be opened in Rajshahi for these law students. Therefore I am not in favour of opening the B. L. classes at Rajshahi."

The Hon'ble Babu Kishori Mohan Chaudhuri said :—

"My Lord, I am sorry that I am accused by my friend the Hon'ble Mr. Hornell of wasting half an hour's time of this Council by moving this resolution. Of course, I am glad that he has come back to take charge of his department after his labours in the University Commission, and I am also glad to learn that he is quite willing to discuss the matter with me and that if anything can be done it will be done.

As I have said at the outset, it is not for a vote in this Council that I have brought forward this resolution, but simply to bring to the notice of the educational authorities the defects not only pointed out by me but also by the Hon'ble Sir Deva Prasad Sarbadhikari in his inspection note in January last. I still maintain that the arrangement for the teaching of Philosophy is very defective, about which nothing has been said, and that unless some arrangements are made for its improvement, I do not know what will be the fate of those reading that subject at Rajshahi. I do not say that Government are not sympathetic and that they are neglecting their duty, but what I beg to submit is that it sometimes happens that proper notice is not taken, though, I think, it is for the purpose of finding out these defects in Government colleges that Inspectors have been appointed and inspection is made by the educational authorities. I pointed out these defects and tried for their improvement on several occasions, but to no effect, and so, my Lord, I have at last thought it advisable to bring forward this resolution at a time when after a few days Your Excellency will be visiting there and will be able to obtain first-hand information from the local authorities.

I need only say a few words about the B. L. class for which I have been mercilessly attacked by my Hon'ble friend, Rai Debender Chunder Ghose Bahadur. I do not know why it should be compulsory that all persons from the mufassal should come to Calcutta or go to Dacca for the study of law. Dacca is going to be a separate University and what will be the arrangements there we do not know. I am informed that there are 3,000 pupils in the University and in the Ripon Law Colleges. If in Calcutta it is necessary that law study should be made and any number should be taught, I do not see why it should be discouraged in the mufassal. My Hon'ble friend, who was a distinguished

*Resolutions.**Babu Kishori Mohan Chaudhuri.*

member of this profession, has now retired after his long and prolific practice : his son has now got a Judgeship in the Calcutta High Court. Of course he can now discourage the law study, but the country at large cannot do so. What will the rising generation do? Of late, we have been trying to make other avenues of life open to the rising generation, but we are not in sight of any other at present. Even the arrangement for the study of Medicine is very limited. My Hon'ble friend forgets that the pleaders' classes are going to be abolished and that consequently B. L.s are to practise in the Munsifs' courts, and in fact many B. L.s nowadays practise in the Munsifs' as well as in the criminal courts. I think he has been misinformed that at Rajshahi there are over 200 pleaders. As a matter of fact, there are not more than 70. I do not know from where he got his information. My idea is that if the B. L.s can be encouraged to practise in the Criminal Courts the atmosphere in these Courts may be improved to a certain extent. My friend thinks that the law study should be abolished altogether. I do not know why, and even if that be so, the University are the proper authorities which should be moved to that effect. Even in the University Commission's Report it is not suggested anywhere that the law study should altogether be discontinued or discouraged in this country. It seems to me that the legal profession is still now at least one in which the rising generation can make out a living. If one can honestly work in the criminal or in the Munsif's Court he can earn Rs. 100 a month, whereas if one gets an appointment in the Education Department one will not be given more than Rs. 35 a month. Whatever that may be, this is not the proper place for discussing whether law study should be abolished altogether or discouraged. What I beg to submit is that if the Dacca College is raised to the standard of a University, the Rajshahi College will be the only college which will be second to the Presidency College and that is one of the reasons why it should be maintained on the same lines as Dacca. I may inform my Hon'ble friend that law study is also necessary for the success of the M.A. class. At Rajshahi, whatever my friend may think, the Governing Body is presided over by the District Magistrate who is a European gentleman, and recently an M.A. of Great Britain also thought it necessary and recommended that M.A. and B.L. classes should be opened there; but at that time, pending the consideration of the University Commission's Report, and for want of funds, nothing was done. Now that the report is out, I trust that the proposal whether further facilities should be given to Rajshahi will receive the serious consideration of Your Excellency's Government as well as the educational authorities. Whatever my Hon'ble friend, Rai Debender Chunder Ghose Bahadur may think, the people of Rajshahi are so very keen on the subject that they are willing to contribute so large a sum as Rs. 1½ lakhs towards the development of M.A. and B.L. study. The subject of improving the status of the Rajshahi College and that of improving the arrangements for the study of the several subjects now taught are urgent affairs and require early consideration. I think no time should be lost in considering the proposal for opening M.A. and B.L. classes because hereafter we may lose the benefit of so large an offer as Rs. 1½ lakhs.

It is needless to consider now whether the college should be established at Rajshahi or Rangpur. The Rajshahi College was raised to the status of B.A. classes in the year 1878, and it has grown to be an institution second in importance to the Presidency College and equal in importance to the Dacca College with about 800 students, 400 in the B.A. and 400 in the I.A. classes and therefore I submit that instead of checkmating it it ought to be further developed.

I may be permitted to withdraw the resolution in the hope that the matter will engage Your Excellency's consideration when Your Excellency will shortly visit the place."

The resolution was then, by leave of the President, withdrawn.

*Resolutions.**Babu Kishori Mohan Chaudhuri; Rai Mahendra Chandra Mitra Bahadur.***LIST OF BUSINESS—ITEM No. 13.**

The Hon'ble Babu Kishori Mohan Chaudhuri moved the following resolution :—

This Council recommends to the Governor in Council that a conference of the Principals of all colleges in Bengal, Government as well as private, be invited to meet under the presidency of the Hon'ble the Member in charge of Education, to consider the recommendations of the Calcutta University Commission and to submit their report to Government.

He said :—

“ My Lord it will, I hope, not be necessary for me to inflict any long speech in order to impress upon Hon'ble Members the necessity of the proposal embodied in my resolution. Hon'ble Members are all aware of the many diverse and far-reaching recommendations of the Calcutta University Commission which are no doubt calculated to serve the best interests of the country in the matter of educational development in all its branches. Before the report of that august body is considered by the Government of India and action taken by them, I think the Government of Bengal will submit a report upon the recommendations of the Commission. My humble suggestion is that before the Government of Bengal consider the recommendations and submit their report thereupon there should be a conference of the experienced educationists who are in charge of the existing educational institutions and who are principally and immediately concerned with these recommendations. Individually they will be able to submit their views no doubt, but there is a special advantage—which I don't think I need point out—of discussing the questions involved in a conference where by mutual exchange of views and open discussions a unanimity of views upon the recommendations of those vitally interested in the same may be secured. The real difficulty to my mind will be how to give effect to the weighty recommendations of the Commission which will practically revolutionise the whole educational system involving very heavy expenditure, both capital and recurring. If the system proposed by the Commission and decided upon by the Government is to be given effect to by degrees, then the question how to do it can best be solved by those experienced educationists who are now conducting the existing system. I might add that the excuse of my bringing forward this resolution is that I not only consider it desirable but to my mind such a conference is absolutely indispensable.

With these few words I commend this resolution to the acceptance of the Government and the Council.”

The Hon'ble Rai Mahendra Chandra Mitra Bahadur said :—

“ My Lord, it is very difficult to follow the reasons of the hon'ble gentleman who moved the resolution. He suggests that a conference of the Principals of all the colleges in Bengal under the presidency of the Hon'ble Member in charge be formed. Now, my Lord, what is the object of the conference? Is it to sit in judgment over the recommendations of the University Commission, or is the object to carry out the recommendations of the Commission? All these recommendations are now before the Government of India. These recommendations are to be formulated into several sections and the Act will be passed. If a report be submitted by all the Principals of colleges under the presidency of the Hon'ble Member in charge, that report will be of no avail. The whole question of the recommendations of the Commission will be discussed at a proper place, at a proper time, and before the proper authorities. I find that the Rajshahi College has been mentioned as the best college and that there is considerable intellectual activity in that

Resolutions.

*Rai Debender Chunder Ghose Bahadur; Maharajadhiraja Bahadur
of Burdwan.*

quarter. The Commission says that so far as the Krishnagar and the Hooghly colleges are concerned, they are of an inferior kind, and I gather inferentially that the B.A. standard in these colleges may not be recommended. These are matters, Sir, which are agitating the minds of the people. The recommendations of the Commission are the subject-matter of consideration by the people throughout Bengal, and criticisms are offered on the recommendations of the Commission, because the public think that they have a right to do that. Surely, before the recommendations come into force, the opinion of the public will be considered. If the proposed conference of Principals of all colleges is held and the public are not associated at the conference, what will be the result? I therefore think that this resolution which has been moved by my learned friend is out of place. If he considers that the conference will do some good, I have not the least objection. But all the recommendations of the Commission are now before the Government of India and the whole subject will be discussed in the Imperial Council and non-official views will be taken into consideration by the Government of India. My Hon'ble friend suggests that no non-official element is to be taken in the conference; and I am really surprised to hear that: but if anybody is to object to the recommendations of the Commission it is the non-official people, and I do not think they should be excluded.

My Lord, without wasting further Your Excellency's time, I beg to oppose this resolution".

The Hon'ble Rai Debender Chunder Ghose Bahadur said:—

"My Lord, I will say only a few words. I do not quite see the necessity of the proposed conference. I imagine that all the Principals of the colleges were examined by the Members of the University Commission, and I understand that most of the Principals of colleges, whether in Calcutta or in the mufassal, are Members of the Calcutta University Senate. I think, Dr. P. Neogi, the present officiating Principal of the Rajshahi College, is not a Fellow of the University Senate. The permanent Principal is always made a Fellow, but the officiating man has to wait probably till he becomes permanent. His predecessor in office, Rai Kumudini Kanta Banarji Bahadur, was or is still a Member of the Senate. The Senate will meet and discuss the recommendations of the University Commission. There the Principals of almost all the colleges, whether in Calcutta or outside Calcutta, will have the opportunity of saying their say and of criticising the proposals of the Members of the University Commission. That being so, I do not see why there should be a separate conference; and I oppose this resolution."

The Hon'ble the Maharajadhiraja Bahadur of Burdwan said:—

"My Lord, I do not think I need take up the time of the Council at any length. The Hon'ble Mover of this resolution has already had the views of two of his non-official colleagues who have opposed the resolution, and I think on good grounds. Although on behalf of Government I am unable to accept the resolution, I may say that I am in entire sympathy with the Hon'ble Mover in so far as he desires that at some stage or other there should be a frank exchange of views between Government and the leading educationists in Bengal regarding the recommendations of the Calcutta University Commission. To some extent, therefore, I am in agreement with the Hon'ble Mover, but I would now go on to say why I cannot accept the resolution. In the first place, the Report of the Calcutta University Commission, except that portion of it which deals with the Dacca University, is still under consideration by the Government of India. The issues relating, for example, to the reconstruction of the Calcutta University are numerous and intricate; and it is very necessary and proper that the Local Government

*Resolutions.**Babu Kishori Mohan Chaudhuri; Adjournment.*

should have the opportunity of the fullest exchange of views with the Government of India before the Local Government indicate their views on certain definite and vital issues to the public. In the second place, I cannot conceive that a round-table conference on the report generally can lead to much practical result. The subject is too vast, its extent too wide, the essential issues are too numerous; and we do not want another Commission. But the Hon'ble Mover's conference which is intended, I presume, to sit from day to day will be perilously like another commission. Again I think that the Hon'ble Mover has failed to realise the far-reaching consequences which the Commission's proposals involve in suggesting that his conference should consist merely of a few professional educationists. If there is to be a conference and obviously we have got to consult public men before long representing other interests also, in fact all those who are concerned in the reorganization of education will have to be consulted. The Hon'ble Rai Debender Chunder Ghose Bahadur has mentioned the Calcutta University. Surely, the Calcutta University has a right to be heard, if Government decide that the main issues of the problem should be discussed at a conference convened by Government. My Lord, I am unable to speak with any more definiteness without obtaining the views of the Government of India on this point, but I may state that we fully recognise that if the recommendations of the Commission are to be substantially accepted and translated into action, we must have on our side the willing co-operation of all those who have considered the educational problems of Bengal, and we believe that some kind of conference at a later stage might be held but more catholic in the sections of opinion which would represent will help Government and at the same time satisfy the public that these important questions will not be decided hurriedly or without the most careful consideration. For these reasons I cannot accept the resolution nor can I at present agree to bind Government to convene any such conference as the Hon'ble Mover suggests. But I may say that we may reasonably expect that at a later stage we shall have a conference for the discussion of certain vital issues by persons interested therein, quite apart from the debate that is likely to take place in the Imperial Council on the Dacca University Bill or the Calcutta University Bill. Such a conference might be helpful, but at the present moment I am not prepared on behalf of Government to accept the proposal of the Hon'ble Mover."

The Hon'ble Babu Kishori Mohan Chaudhuri said :—

"My Lord, I was labouring under a misapprehension. My idea was that before the matter is taken up by the Government of India the opinions of the Calcutta University and the Bengal Government would be taken, but as I now see that the matter will be first considered by the Government of India and then we shall have to hold some sort of a conference. As the Senate was asked separately to report, I thought that we should have a conference here just now. I am satisfied to hear that some sort of conference will be held at a later stage and therefore I wish to withdraw the resolution."

The motion was then, by leave of the President, withdrawn.

ADJOURNMENT.

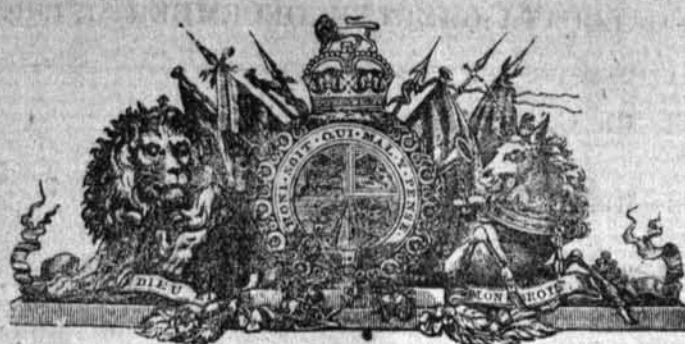
The Council was then adjourned to the 18th December 1919 at 11 A.M. at Government House, Calcutta.

J. F. GRAHAM,

*Secy. to the Govt. of Bengal and
Secy. to the Bengal Legislative Council.*

CALCUTTA :

The 1st December 1919.



The Calcutta Gazette

WEDNESDAY, DECEMBER 31, 1919.

PART IVA.

Proceedings of the Bengal Legislative Council.

GOVERNMENT OF BENGAL.

LEGISLATIVE DEPARTMENT.

Abstract of the Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act, 1915.

THE Council met in the Council Chamber at Government House, Calcutta, on Thursday, the 18th December, 1919, at 11 A.M.

Present :

HIS EXCELLENCY the Right Hon'ble LAWRENCE JOHN LUMLEY DUNDAS, EARL OF RONALDSHAY, G.C.I.E., *Governor of the Presidency of Fort William in Bengal, presiding.*

The Hon'ble SIR HENRY WHEELER, K.C.I.E., C.S.I.

The Hon'ble MR. J. G. CUMMING, C.S.I., C.I.E.

The Hon'ble SIR BIJAY CHAND MAHTAB, K.C.S.I., K.C.I.E., I.O.M., MAHARAJA-DHIRAJA BAHADUR OF BURDWAN.

The Hon'ble MR. C. J. STEVENSON-MOORE, C.V.O.

The Hon'ble MR. H. L. STEPHENSON, C.S.I., C.I.E.

The Hon'ble MAJOR-GENERAL W. H. B. ROBINSON, C.B., I.M.S.

The Hon'ble MR. F. J. MONAHAN.

The Hon'ble MR. L. S. S. O'MALLEY, C.I.E.

The Hon'ble Mr. G. N. ROY.

The Hon'ble Mr. A. MARR.

The Hon'ble Mr. M. C. McALPIN.

The Hon'ble Mr. F. A. A. COWLEY.

The Hon'ble Mr. W. W. HORNELL, C.I.E.

The Hon'ble Mr. C. F. PAYNE.

The Hon'ble KHAN BAHADUR MAULVI AMINUL ISLAM.

The Hon'ble Mr. S. W. GOODE.

The Hon'ble SIR RAJENDRA NATH MOOKERJEE, K.C.I.E.

The Hon'ble SIR NILRATAN SARKAR, KT.

The Hon'ble Mr. R. V. MANSELL, O.B.E.

The Hon'ble Mr. W. H. H. ARDEN-WOOD, C.I.E.

The Hon'ble BABU SIV NARAYAN MUKHARJI.

The Hon'ble BABU BROJENDRA KISHOR RAY CHAUDHURI.

The Hon'ble Mr. ARUN CHANDRA SINGHA.

The Hon'ble SIR DEBA PRASAD SARBADHIKARI, KT., C.I.E.

The Hon'ble RAI RADHA CHARAN PAL BAHADUR.

The Hon'ble Mr. R. M. WATSON SMYTH.

The Hon'ble Mr. W. H. PHELPS.

The Hon'ble MAULVI ABUL KASEM.

The Hon'ble Mr. M. ASHRAF ALI KHAN CHAUDHURI.

The Hon'ble KHAN SAHIB AMAN ALI.

The Hon'ble Mr. ALTAF ALI.

The Hon'ble RAI SRI NATH RAY BAHADUR.

The Hon'ble BABU AKHIL CHANDRA DATTA.

The Hon'ble BABU SURENDRA NATH RAY.

The Hon'ble BABU KISHORI MOHAN CHAUDHURI.

Questions and Answers.

LIST OF BUSINESS—ITEM No. 1.

OATH OF ALLEGIANCE.

1. The Hon'ble Mr. Stephenson, the Hon'ble Major-General Robinson, the Hon'ble Mr. Monahan, the Hon'ble Mr. Marr, and the Hon'ble Mr. Goode made an oath of their allegiance to the Crown.

LIST OF BUSINESS—ITEM No. 2.

STARRED QUESTIONS.

The following questions which had been starred were put and answered :—

By the Hon'ble Mr. W. H. H. Arden-Wood:—

***1.**

(a) Are the Government aware that many junior married members of the superior services, who are stationed in Calcutta, are finding the utmost difficulty in meeting the largely enhanced cost of living? Relief to junior married officers of the superior services.

(b) Are the Government aware that it is becoming almost impossible for junior officers to rent even part of a house?

(c) Are the Government aware that this is chiefly due to the recent great inflation of house rents in Calcutta?

(d) Is it a fact that the Calcutta house allowance paid to married members of the superior services in Calcutta is reduced from Rs. 175 to Rs. 90 for seven months out of the twelve?

(e) Is it a fact that house rents during this period remain constant?

(f) Is it true that when an officer's wife is absent from Calcutta for more than two months this allowance ceases?

(g) Are the Government aware of the fact that an officer's expenses are largely increased when his wife is away, as he is obliged to maintain two establishments?

(h) If the answers to clauses (d) to (g) are in the affirmative, will the Government be pleased to state whether they are considering the desirability of amending the house-allowance rules with a view to making them more equitable?

(i) Will the Government be pleased to say whether they are considering the desirability of taking up the question of giving relief, by means of special allowances, or otherwise, at a very early date to the junior married officers?

Answer by the Hon'ble Mr. Marr:—

“(a) Yes.

(b) It is certainly becoming increasingly difficult for them to do so.

(c) Yes.

Questions and Answers.

(d) Yes. The scale for Calcutta house allowance is as follows:—

CALCUTTA.

Rate of salary.	Between the 1st April and 31st October.	Between the 1st November and 31st March.
	Rs.	Rs.
Under Rs. 300 ...	40	50
Rs. 300—499 ...	65	100
Rs. 500—999 ...	90	175
Rs. 1,000—1,499 ...	60	175
Rs. 1,500—1,999 ...		
Rs. 2,000—2,500 ...	N1.	150

(e) It presumably depends on the terms on which a house is leased.

(f) Yes.

(g) It is difficult to give a general answer as circumstances may vary greatly.

(h) A reference regarding the practice referred to in (f) and recommending a modification of it was made to the Government of India some time ago. Inquiry will be made when orders may be expected.

(i) The matter is receiving consideration, but it is beset with difficulties."

By the Hon'ble Babu Kishori Mohan Chaudhuri:—

***II.**

Appointment of
an inhabitant
of the Rajshahi
district to the
Judicial Service.

(a) Will the Government be pleased to state whether it is a fact that during the last thirty years no inhabitant of the Rajshahi district has been appointed to the Provincial Judicial Service?

(b) Is it a fact that the Government rules for the appointment of officers in the Provincial Judicial Service provide that the name of an enrolled candidate is to be removed from the list in the event of his failing to obtain an appointment before he attains the age of 29?

(c) Are the Government aware that the name of Babu Kritanta Nath Maitra was removed from the list of enrolled candidates before he attained the age of 29?

(d) Are the Government aware that Babu Kritanta Nath Maitra passed both the B.L. and M.Sc. examinations in the first division, and that he was the only candidate with this qualification among the list of candidates laid on the table in reply to question No. 22 (unstarred) of the 3rd April, 1919?

(e) If the answer to clause (a) of the question be in the affirmative, will the Government be pleased to say whether they are prepared to reconsider the application of Babu Kritanta Nath Maitra, who is still below the age of 29?

Answer by the Hon'ble Mr. Roy:—

"(a) Government have no information in the matter. The Hon'ble Member may obtain the information from the High Court.

(b) Yes.

(c) Yes.

(d) Yes.

(e) Does not arise."

Questions and Answers.

By the Hon'ble Rai Mahendra Chandra Mitra Bahadur:—

***III.**

(a) Will the Government be pleased to state whether the scheme for improving secondary education has been sanctioned? Improvement of secondary education.

(b) If so, will the Government be pleased to state the reason for the delay in giving effect to it?

(c) Is it the intention of Government to give retrospective effect to the scheme from 1st April, 1918?

Answer by the Hon'ble Mr. O'Malley:—

“(a) The answer is in the affirmative.

(b) No unnecessary delay has occurred. Government are anxious to give effect to the scheme as soon as possible. The necessary preliminary details are now being worked out by the Director of Public Instruction.

(c) The answer is in the negative. The Hon'ble Member is referred to the answer to question 13.”

UNSTARRED QUESTIONS.

(Answers to which were laid on the table.)

By the Hon'ble Maulvi A. K. Fazl-ul-Haq:—

1.

(a) Will the Government be pleased to state the number of appointments held by ministerial officers under the Magistrate-Collector of Dacca in the upper and lower divisions, grade by grade? Ministerial officers under the Magistrate-Collector, Dacca.

(b) Will the Government be pleased to state the number of Muhammadans in each grade?

(c) Will the Government be pleased to state the number of paid probationers employed in the offices under the Magistrate-Collector of Dacca from the 1st April, 1912, to the 31st October, 1919, showing the appointments made in each year separately?

(d) How many of these probationers were Muhammadans?

(e) How many of these probationers were given permanent appointments and how many of these latter were Muhammadans?

(f) Is it a fact that four Muhammadan probationers have been removed from the office of the Magistrate-Collector of Dacca in order to make room for four Hindus who were junior to the Muhammadan probationers?

(g) If the facts are not as suggested in clause (f) of the question, will the Government be pleased to state the facts giving the reason for the removal of the four Muhammadan probationers?

(h) Will the Government be pleased to state the principle according to which appointments are given to paid probationers?

(i) Is it not a fact that the Government of India has definitely ruled in their letter No. 127, dated the 27th January, 1905, that a probationer who has qualified himself for a permanent post should not be turned out of service merely because he has failed to secure an appointment within a limited period?

(j) Will the Government be pleased to lay on the table an extract from the letter dealing with the principle which has to be followed in giving permanent appointments to paid probationers?

Questions and Answers.

Answer by the Hon'ble Mr. McAlpin :—

“(a) and (b) A statement is laid on the table.

Statement showing the number of ministerial appointments under the Magistrate and Collector of Dacca in the upper and lower divisions, grade by grade, and the number of Muhammadans in each grade.

GRADE.	NUMBER OF APPOINTMENTS.		Total.
	Hindus.	Muhammadans.	
On pay of—			
Rs. 175—10—225	1	...	1
“ 150	1	...	1
“ 125	1	...	1
“ 100	4	...	4
“ 80	5	...	5
“ 70	3	...	3
“ 50	9	...	...
“ 45	10	1	11
“ 40	23	3	26
“ 35	28	7	35
“ 30	24	18	42
Total	109	29	138

“(c), (d) and (e) A statement is laid on the table.

Statement.

YEAR.	NEW APPOINTMENTS.		REMARKS.
	Hindus.	Muhammadans.	
1912-13*	.....	1 (permanent)	* Sanctioned strength of probationers (12).
1913-14*	3 (all made permanent).	4 (3 permanent and 1 left).	
1914-15*	5 (3 permanent, 1 dead and 1 removed).	7 (3 made permanent, 1 resigned and 3 removed).	
1915-16*	2 (1 permanent, 1 removed).	7 (1 made permanent, 1 dead, 3 resigned and 2 removed).	
1916-17†	2 (1 resigned, 1 discharged).	2 (1 resigned, 1 permanent).	† Sanctioned strength of probationers (13).
1917-18†	3 (all sub. <i>pro tem.</i>)	6 (1 sub. <i>pro tem.</i> , 2 resigned, 1 removed and 2 working as probationers).	
1918-19†	4 (1 removed, 3 working as probationers).	3 (1 resigned, 2 working as probationers).	
1919-20†	4 (all working as probationers).	1 (working as probationer).	

(f) No.

(g) In order to fill up certain vacancies in the permanent establishment an examination was held among the probationers, as a result of which four Muhammadan probationers were not considered fit to hold a permanent

Questions and Answers.

appointment in the district office. They were therefore removed. Four Hindus were taken on the recommendation of the Chairman, Bengal Employment and Labour Board, as having rendered satisfactory war service. Three of them were appointed as paid probationers and one, who is an undergraduate, was given a sub. *pro tempore* appointment.

(h) The Hon'ble Member is referred to rules 53, 57, 58, 62 and 65, Chapter IV of the Board's Miscellaneous Rules, 1918.

(i) and (j) No. On the contrary, the Government of India said: 'The probationary system, if properly worked, affords, in the opinion of the Government of India, the best method of recruitment, provided that the period of probation is limited ordinarily to two years: and it should be a rule that if, on completing two years' service, a probationer is not definitely accepted as qualified for promotion, he should quit the service of Government, being replaced by another probationer so as to extend the field of selection.' "

By the Hon'ble Rai Mahendra Chandra Mitra Bahadur:—

2.

Will the Government be pleased to lay on the table a tabular statement showing the total number of applicants who have been refused admission last year and again this year into each of the various classes of the different Colleges in the Presidency of Bengal?

Admission of students into the different Colleges in Bengal.

Answer by the Hon'ble Mr. O'Malley:—

"A statement furnishing the required information, as far as available, is laid on the table."

Statement referred to in the answer by the HON'BLE MR. O'MALLEY to question No. 2 (unstarred) asked by the HON'BLE RAI MAHENDRA CHANDRA MITRA BAHADUR at the Council meeting of the 18th December 1919, showing the number of applicants who were refused admission during the years 1918 and 1919 into the different classes of the Colleges in Bengal.

Serial No.	Name of the College.	1918.				1919.				Remarks.
		1st year.	2nd year.	3rd year.	4th year.	1st year.	2nd year.	3rd year.	4th year.	
1	2	3	4	5	6	7	8	9	10	11
1	Bethune College, Calcutta ...	8	...	...	...	5	...	3	...	Girls' College.
2	Chittagong College ...	172	...	...	...	197	25	57	16	
3	Dacca College, Dacca ...	58	...	36	...	156	...	122	...	
4	Hooghly College, Chinsurah ...	...	...	...	...	54	...	20	2	
5	Krishnagar College, Krishnagar ...	1	6	3	...	18	...	14	1	
6	Presidency College, Calcutta ...	299	...	211	...	300	3	321	7	
7	Rajshahi College, Rajshahi ...	18	9	6	1	67	7	80	6	
8	Sanskrit College, Calcutta ...	...	...	...	...	...	...	...	...
9	Ananda Mohan College, Mymensingh. (a)	...	...	...	...	...	...	...	...	(a) No records of the number of students refused admission are maintained by the College.
10	Braja Mohan College, Barisal (b)	...	...	...	...	...	...	...	...	(b) Ditto.
11	Daulatpur Hindu Academy, Khulna	15	2	1	...	50	5	45	5	
12	Diocesan College, Calcutta ...	...	...	...	...	4	...	...	...	Girls' College.
13	Edward College, Pabna ...	8	5	This is a second grade College.		5	1	This is a second grade College.		
14	Jagannath College, Dacca (c)	...	...	...	...	90°	9°	50°	8°	(c) No records are available for 1918. ° Approximate.

Questions and Answers.

Serial No.	Name of the College.	1918.				1919.				REMARKS.
		1st year.	2nd year.	3rd year.	4th year.	1st year.	2nd year.	3rd year.	4th year.	
1	2	3	4	5	6	7	8	9	10	11
15	Midnapore College, Midnapore ...	2	1	This is a second grade College.		...	2	...	...
16	Scottish Churches College, Calcutta	216	...	240	...	246	8	263	30	
17	Serampore College, Serampore (d)	...	...	...	...	...	...	...	...	(d) No records are maintained.
18	St. Paul's Cathedral College, Calcutta. (e)	...	...	...	...	...	3	...	...	(e) Ditto.
19	St. Xavier's College (f)	...	...	...	...	374	22	60	10	(f) No records for 1918 are available
20	Victoria College, Comilla	112	20	9	...	184	19	36	17	
21	Victoria College, Narail	...	...	This is a second grade College.		...	...	...	...
22	Wesleyan College, Bankura (g)	...	...	...	...	50	10	...	1	(g) No records are available for 1918.
23	Bagerhat College, Khulna	...	...	This is a second grade College.		126	4	...	...
24	Bangabasi College, Calcutta	...	...	...	...	200°	200°	200°	50°	° Approximate.
25	Burdwan Raj College	...	...	This is a second grade College.		...	...	...	...
26	Carmichael College, Rangpur (b)	...	...	...	...	...	...	...	...	(b) No records are maintained.
27	Central College, Calcutta (d)	...	...	...	...	...	...	...	...	(d) Ditto.
28	City College, Calcutta	140	54	50	47	150	20	80	25	
29	Krishna Chandra College, Hetampur.	...	...	This is a second grade College.		...	...	...	...
30	Brishnath College, Berhampore	34	14	16	2	115	20	50	19	
31	Loretto House, Calcutta	...	...	This is a second grade College.		...	...	...	...	Girls' College.
32	Rajendra College, Faridpur	...	...	Ditto		...	4	...	...
33	Ripon College, Calcutta	63	44	38	30	71	...	89	37	
34	South Suburban College, Calcutta	...	...	...	...	...	...	...	...
35	Uttarpara College (f)	...	...	This is a second grade College.		25	...	...	...	(f) No records for 1918 are available.
36	Vidyasagar College, Calcutta (g)	...	...	...	...	...	...	...	...	(g) No records are maintained.
37	Medical College, Calcutta (h)	745	...	...	...	802	...	...	...	(h) Students are admitted only into the 1st year class.
38	Carmichael Medical College (i)	504	...	...	...	803	...	...	...	(i) Ditto.
39	Veterinary College (j)	23	...	...	...	56	...	...	...	(j) Ditto.
40	Civil Engineering College, Sibpur (k).—	...	...	...	...	...	...	...	...	(k) Ditto.
	(a) Engineering class	32	...	...	...	65	...	...	...
	(b) Upper Subordinate class	2	...	...	...	7	...	...	...
	(c) Mechanical and Electrical and Mining classes.	100	...	...	...	59	...	...	...

By the Hon'ble Babu Bhabendra Chandra Ray:—

3.

Educational grants made under the Syedpur Trust Estate.

(a) Will the Government be pleased to state the history of the grants made from the Syedpur Trust Estate to the various educational institutions, and how they have been utilised since their inception?

Questions and Answers.

(b) Is it a fact that the entire grant of the Syedpur Trust Estate to the Daulatpur H. E. School is at present being spent for the benefit of the Muhammadan students alone, whether tenants of the estate or not?

(c) When, and under what circumstances, was this innovation made and by whom and under what authority?

(d) Has the attention of Government been drawn to the following remark made by Mr. Monahan, as Commissioner of the Presidency Division, in the visitors' book of the Daulatpur H. E. School on the 26th February, 1915 :—

“ I do not quite understand why the benefit of the grant which is made to this school from the management and improvement allotment of the Syedpur Trust Estate, should be restricted to Muhammadans. It seems to me that the poor and deserving non-Muhammadan tenants of the estate may have a claim on it.”

(e) What action, if any, has been taken on the above remark?

(f) Is it a fact that a dismissed police servant, named Rahimuddin Shaikh, was appointed a teacher of the Daulatpur H. E. School some time back, in preference to qualified Muhammadan candidates of the locality?

(g) Are the Government aware of a feeling that exists that this gentleman has been trying to create a tension of feeling between Hindu and Muhammadan students since his appointment?

Answer by the Hon'ble Mr. O'Malley:—

“(a) The estate has been under the management of the Board of Revenue for nearly a century, and it would involve an undue amount of labour to trace the history of the grants made from its funds to various educational institutions.

(b) and (c) The Board of Revenue directed in 1913 that the grants made from the funds of the estate to primary schools should be brought up to 1 per cent. of the rental, which should be allotted to schools established for the benefit of tenants of the estate, irrespective of religion, while grants to secondary schools, such as the Daulatpur High School, which were to be limited to 1 per cent. of the rental, were to be given for the benefit of Muhammadan students only.

(d) and (e) It is understood that at the time when Mr. Monahan recorded the remarks in question he had not the previous papers of the case and the orders of the Board of Revenue before him. No action was taken on his remarks.

(f) and (g) Government have no information on the subject.”

By the Hon'ble Mr. H. R. A. Irwin:—

4.

Will the Government be pleased to state what steps, if any, have been taken to give effect to the resolution passed by this Council at its meeting on February 19th, 1918, and reaffirmed at the meeting on February 19th, 1919, on the subject of education in hygiene and sanitation in schools and colleges throughout the province?

Education in hygiene and sanitation in schools and colleges throughout the province.

Answer by the Hon'ble Mr. O'Malley:—

“(1) Suitable text-books have been recommended for supplementary use in the 3rd and 4th classes of high schools and in the training colleges. In the middle and upper primary stages as well as in normal, *guru*-training

Questions and Answers.

and *muallim*-training schools, certain text-books have also been recommended for the use of pupils as a compulsory subject (in Government and aided schools). In the lower primary stage the instruction is oral. A copy of the list of text-books is laid on the table.

(2) Arrangements have been made for the delivery of a course of lectures on hygiene in the training colleges and schools at Calcutta and Dacca, in the Dow Hill training class for Europeans at Kurseong, and at the Bethune College and collegiate school, Calcutta.

(3) Provision has been made for the teaching of the subject in certain *guru*-training schools by the Health Officers or sanitary inspectors employed in municipalities or district boards.

(4) Lanterns, screens and slides have been purchased for use in connection with lectures on hygiene.

(5) The suggestion that hygiene should be included as an optional subject for the matriculation examination was forwarded to the University. On their application, the Government of India have sanctioned the prescription of hygiene as an additional subject for the matriculation examination.

(6) An application has been made to the Government of India for the appointment of a whole-time Physical Adviser and a Deputy Sanitary Commissioner for school hygiene. Necessary provision for these posts, as well as for the measures mentioned above, has been made in the current year's budget."

List referred to in the reply to Unstarred Question No. 4 asked at the meeting on 18th December 1919.

List of text books on Hygiene approved for use in all Government and recognised schools, both English and Vernacular, in the Presidency of Bengal, for the year 1919.

A. Text books for supplementary use in—

- (i) classes III and IV of high schools in the Presidency and Burdwan Divisions, and in
- (ii) classes VII and VIII of high schools in the Dacca, Rajshahi and Chittagong Divisions.

Any one of the following:—

			RE. A.
1. Science of Health	... H. H. Pratt	... (Oxford University Press, Bombay.)	...
2. A Health Reader for Indian High Schools.	P. C. Wren	... (Macmillan & Co.)	... 1 0
3. Physiology and Hygiene for Standard IV (Teachers' Hand Book).	J. R. Williamson	... (Longmans, Green & Co.)	...
4. Manual of Hygiene (Revised edition).	Dr. C. Banks	... (Macmillan & Co.)	... 1 8

N.B.—These books may be used with profit also in the Training Colleges.

B. Text books for use in—

- (i) standards V and VI of middle schools in the Presidency and Burdwan Divisions,
- (ii) classes V and VI of high schools in the Presidency and Burdwan Divisions,
- (iii) classes VI and VII of vernacular schools in the Dacca, Rajshahi and Chittagong Divisions,

Questions and Answers.

- (iv) classes V and VI of high and middle English schools in the Dacca, Rajshahi and Chittagong Divisions,
 (v) classes V and VI of junior madrasahs in Bengal, and in
 (vi) First grade training schools and normal schools in Bengal.

Any one of the following :—

		As.
1. Bengali Text Book on Hygiene and Domestic Economy.	Drs. C. Banks and Hari-dhan Dutt. (Macmillan & Co.)	... 5
2. Garbhashtya Swasthya Niti, Part III.	Lt. P. Choudhury, M.B., I.M.S. (B. C. Basak, Albert Library, Dacca.)	5
3. Swasthya Tattwa, Part II ...	Rai Harinath Ghosh Bahadur, M.D. (Author)	... 9

N.B.—These books are also intended for the corresponding classes of girls' schools in Bengal.

C. Text books for use in—

- (i) standard IV of middle and upper primary schools in the Presidency and Burdwan Divisions,
 (ii) class VII-A of high schools in the Presidency and Burdwan Divisions,
 (iii) class V of vernacular schools in the Dacca, Rajshahi and Chittagong Divisions,
 (iv) class IV of high and middle English schools in the Dacca, Rajshahi and Chittagong Divisions, and in
 (v) *guru* and *muallim* training schools in Bengal.

Any one of the following :—

		As. P.
1. Village Sanitation (Palligrane Svasthyaraksha), Revised edition.	Dr. Kamakhya Charan Banerjee. (Asoke Chandra Banerjee)	3 0
2. Swasthya Bijnan ...	Jahar Lal Das, L.M.S., and Sarat Chandra Brahmanchari, M.A., B.T. (Brojendra Mohan Datta, Students' Library, Calcutta)	5 0
3. Garbhashtya Swasthya Niti, Part II.	Lt. P. Choudhury, M.B., I.M.S. (B. C. Basak, Albert Library, Dacca.)	3 6
4. Swasthyer Katha (for boys)	Giris Chandra Basu ... (Ghosh & Co., Calcutta)...	3 0
5. Swasthya Tattwa, Part I ...	Rai Harinath Ghosh Bahadur, M.D. (Author) ...	5 0
6. Bengali Text Book on Hygiene and Domestic Economy.	Drs. C. Banks and Hari-dhan Dutt. (Macmillan & Co.)	... 2 6
7. Swasthya O Grihasthalir Katha (for girls).	Girish Chandra Basu ... (Ghosh & Co., Calcutta)...	1 0
8. Easy Lessons in Hygiene, Standards III and IV.	Rai Dinanath Sanyal Bahadur, B.A., M.B. (S. C. Sanial & Co.)	... 4 0

N.B.—These books are also intended for the corresponding classes of girls' schools in Bengal.

D. In lower primary schools and in the corresponding classes of high, middle and upper primary schools in this Presidency, lessons on Hygiene should be entirely oral. These lessons should take the form of talks on the following or similar topics :—

- (a) The necessity for personal cleanliness.
 (b) The necessity for keeping rooms clean.
 (c) The necessity for pure water, fresh air, sunlight and ventilation, the danger of shutting up sleeping rooms.
 (d) The danger of insanitary and dirty habits, such as spitting.
 (e) The necessity of exercise.
 (f) Some information as to how simple complaints—wounds, snake-bites, burns, &c.,—should be treated; how a drowning person should be handled, &c.

Questions and Answers.

The teaching must proceed not merely by precept but by example. The first essential then is that the teacher himself should be a man of healthy and clean habits; the second that the school should be well ventilated and scrupulously clean; the teacher should also insist that every child who comes to school must be clean and tidy.

W. C. WORDSWORTH,

Offg. Director of Public Instruction, Bengal.

CALCUTTA,

The 14th November 1918.

By the Hon'ble Mr. H. R. A. Irwin:—

5.

Reorganization
of the Victoria
and Dow Hill
Schools.

(a) Will the Government be pleased to state what steps have been taken to give effect to the promise of the acting Director of Public Instruction given at the meeting of this Council in July last with regard to the reorganization generally of the Victoria and Dow Hill Schools?

(b) What sum is sanctioned *per diem per capita* for the feeding only of the pupils of the Victoria and Dow Hill Schools, respectively?

(c) Is any other item in addition to actual food chargeable against this sum?

(d) Has this scale been submitted to, and approved by, the medical authorities as being sufficient to provide adequate nourishment for growing children?

(e) If not, are the Government considering the desirability of obtaining the opinion of the medical authorities on this point?

(f) Has any increase in pay and emoluments for the staffs of the two schools been sanctioned and given effect to?

(g) If so, has such increase been proportionate in each school alike?

Answer by the Hon'ble Mr. O'Malley:—

“(a) Proposals for the reorganisation of the two schools are under the consideration of Government.

(b) The rate of the capitation boarding allowance for the boys of the Victoria School is Rs. 20-4 a month. This includes Rs. 18 for food and Rs. 2-4 for laundry, oil, wood, etc. The amount sanctioned *per diem per capita* for feeding only amounts therefore to 9 annas 7 pies.

The rate for the girls of the Dow Hill School is Rs. 18 a month, but the allotment for them is pooled with that of the students of the training class attached to the school, for whom an allowance of Rs. 45 each a month is sanctioned. The exact amount set apart *per diem per capita* for feeding the girls cannot, therefore, be stated definitely.

(c) The answer to (b) covers this question.

(d) The above scale was fixed in 1913 in consultation with the Sanitary Commissioner.

(e) The question of increasing the existing rates in view of the increase in prices is now under the consideration of Government and due consideration will be given to the recommendations of the Sanitary Commissioner.

(f) Pending the reorganisation of the schools certain members of the staffs of both the schools have received increments in their allowances as a temporary measure, with effect from 1st July, 1919.

Questions and Answers.

(g) The increments have been sanctioned according to sliding scales, from Rs. 30 to Rs. 50, which are different for male and female teachers. There is this further difference also that female teachers drawing above Rs. 200 have not been granted additional allowances, whereas male teachers at the Victoria School drawing above Rs. 200 have been granted increments."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

6.

(a) Is it a fact that there was a Middle English School at Mathurapur in Maldah of about thirty years' standing?

Closing of the Middle English School at Mathurapur.

(b) Is it a fact that the school was of great benefit to the children of the tenants of Mr. G. Hennessey?

(c) When, and at whose instance, and under what circumstances, was the school closed?

Answer by the Hon'ble Mr. O'Malley:—

"(a) Yes. The school still exists, although its recognition was temporarily withdrawn.

(b) Yes, the school was and still is of great benefit to the children of the local people who are the tenants of Mr. G. Hennessey.

(c) The recognition of the school was withdrawn from the 21st October, 1916, to the 30th September, 1917, under the orders of the Inspector of Schools, Rajshahi Division, owing to serious irregularities in the internal management."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

7.

In connection with the reply given by Sir George Barnes to question No. 12 asked by the Hon'ble Maharaja Sir Manindra Chandra Nandi at the meeting of the Imperial Legislative Council held on the 24th September, 1919, regarding the appointment of Indians to the Customs Preventive Service, Calcutta, will the Government be pleased to say—

Appointment of Indians to the Calcutta Customs Preventive Service.

(i) whether any applications for appointment in that service have been received from Indians, and

(ii) how these applications have been disposed of?

Answer by the Hon'ble Mr. Marr:—

"(i) Yes. The Collector of Customs, Calcutta, received during the last two months applications from three or four Indians for posts in the Preventive Service.

(ii) The Collector of Customs or the Superintendent, Preventive Service, interviewed all the applicants, but found that, while they generally possessed better educational qualifications than are needed for a Preventive Officer's work, none of them satisfied the conditions under which recruits for such service are selected. These conditions are that candidates must—

(1) be under the age of 25.

(2) be unmarried.

(3) be of athletic habits and of physique good enough for outdoor work in all weathers and at all hours.

(4) have good eyesight.

The majority of the applicants only satisfied the first condition.

Questions and Answers.

The Hon'ble Member is also referred to the reply given by the Hon'ble Sir George Barnes to question No. 14 (b) asked by the Hon'ble Maharaja Sir Manindra Chandra Nandi at the meeting of the Imperial Legislative Council held on the 24th September, 1919."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

8.

Appointments
in the Forest
Department

(a) Is it a fact that applications have recently been invited by the Conservator of Forests, Bengal, from Europeans for 8 posts in the Forest Department?

(b) Will the Government be pleased to say why applications have not been invited from suitable Indians who have graduated in Science?

Answer by the Hon'ble Mr. McAlpin:—

"(a) Owing to unavoidable delays in filling up the sanctioned cadre of the Imperial Forest Service and the difficulties which would be caused by the consequent shortage of staff, the Government of India authorised this Government to entertain temporary officers as stop-gaps subject to a maximum pay of Rs. 800 a month and a time-limit of two years in each case. Applications were accordingly invited by the Conservator of Forests from Europeans for five posts, corresponding to the number of vacancies in the sanctioned cadre of the Imperial Forest Service.

(b) The question of appointing Indians who had graduated, not in Science, but in Engineering was considered; but in view of the fact that the officers proposed to be appointed were intended to take the place of Imperial Officers and would only hold the posts for two years without any prospects of any further employment in the Forest Department, the suggestion was abandoned."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

9.

Through 3rd class
tickets on the
Darjeeling-
Himalayan
Railway.

(a) Is it a fact that through 3rd class tickets are not issued to passengers travelling over the Darjeeling-Himalayan Railway and Eastern Bengal Railway from Darjeeling to Calcutta in ordinary passenger trains?

(b) Is it a fact that such passengers are charged the fares for the mail train?

(c) Are the Government aware that this arrangement causes great inconvenience to passengers, especially those who come from Darjeeling, Kurseong, etc.?

(d) Are the Government considering the advisability of moving the Darjeeling-Himalayan Railway authorities to issue through tickets from Darjeeling and other places on the Darjeeling-Himalayan Railway to Calcutta and to charge ordinary fares?

Answer by the Hon'ble Mr. Cowley:—

"(a) Third class passengers from stations on the Darjeeling-Himalayan Railway can book through to Calcutta by paying the fare laid down for the Mail train. Passengers travelling by ordinary trains other than the Mail can take advantage of a lower fare over the Darjeeling-Himalayan Railway by booking to Siliguri and re-booking thence to Calcutta.

(b) Yes.

(c) No.

Questions and Answers.

(d) No, the Local Government do not consider that any action is necessary as the Darjeeling-Himalayan Railway Company have the right of fixing a tariff of fares, subject to the maximum prescribed under their contract."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

10.

Will the Government be pleased to make a statement giving the names of the proposed railway lines in the Dacca Division, and showing the progress made in regard to each? Proposed railway lines in the Dacca Division.

Answer by the Hon'ble Mr. Cowley:—

"The Hon'ble Member is referred to "Railways in India, Administration Report for the year 1917-18," Appendix II to which contains a list of Railways and tramways projected up to 31st March, 1918, and the progress made on each up to that date.

The Hon'ble Member is also referred to the answer given by the Hon'ble Sir Arthur Anderson to a question asked by the Hon'ble Maharaja Sir Manindra Chandra Nandi at a meeting of the Imperial Legislative Council on 1st March, 1919, which was published in Part VI of the *Gazette of India* of 8th March, 1919.

The following further progress has been made since the publication of the Administration Report of 1917-18:—

- (a) In connection with the Serajganj-Mymensingh Railway, sanction was given in April, 1919, to undertake a detailed survey for a line from Nandanpur to Gabsera.
- (b) In connection with extensions to the Mymensingh-Bhairab Bazar Railway System sanction was given in November, 1919, to undertake a detailed survey for a line from Sararchar through Kathiadi and Hossainpur to Kishoreganj and a reconnaissance survey of feeder lines in the neighbourhood of Kishoreganj."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

11.

Will the Government be pleased to state when the following lines are expected to be opened:— Opening of certain railway lines.

- (i) Tangi-Tangail;
- (ii) Netrakona-Mohanganj; and
- (iii) Jharia-Bagmari?

Answer by the Hon'ble Mr. Cowley:—

"The Government of Bengal have no information to show when the lines are likely to be constructed or opened.

The alignment surveyed for the Tangi-Tangail Railway has been accepted. The projects are under examination by the Railway Board."

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

12.

(a) Will the Government be pleased to state whether it is a fact that the proposals of the Local Government for the utilization of the grant of Rs. 3,09,876, for the improvement of the pay of the teachers of Government High Schools have been sanctioned? Improvement of the pay of teachers in Government High Schools.

Questions and Answers.

(b) If so, is it in the contemplation of the Government to give immediate effect to the scheme?

(c) Are the Government aware of the prevalence of a feeling of discontent at the delay that has already occurred?

Answer by the Hon'ble Mr. O'Malley:—

“(a) The answer is in the affirmative.

(b) The Hon'ble Member is referred to the reply given to question III (b).

(c) The answer is in the affirmative.”

By the Hon'ble Babu Brojendra Kishor Ray Chaudhuri:—

13.

Improvement
of staff and
increase of pay
of teachers in
Government
High Schools.

With reference to the reply given by the Hon'ble Mr. Goode to my question at the Council meeting of the 12th August, 1919, that there was no deflection of the amount earmarked for improving the staff and increasing the pay of Government High School teachers, is it in the contemplation of the Government to give retrospective effect to these proposals from the 1st April, 1917, i.e., the date the Imperial grant was made, and, if necessary, to move the Government of India for the removal of any technical objection which may be in the way of so dealing with the matter?

Answer by the Hon'ble Mr. O'Malley:—

“The scheme was sanctioned by the Secretary of State in a telegram dated the 18th September, 1919, which was received by the Government of India on the 21st idem. Under the Civil Account Code unless otherwise expressly ruled, or unless the contrary appears from the context, a sanction of the Secretary of State takes effect from the date of receipt of the orders by the Government of India. Apart from this objection, which is not merely technical, it would be impracticable to give retrospective effect to the proposals from 1st April, 1917, both because the sums allotted in 1917-18 and 1918-19 are not included in the present year's budget, and also because it would not be possible to appoint teachers to the sanctioned posts with effect from the date mentioned.”

By the Hon'ble Babu Akhil Chandra Datta:—

14.

Production of
paper-pulp from
bamboo.

(a) Will the Government be pleased to state the names of the private firms by whom experiments have been made in Bengal with a view to producing paper-pulp from bamboo?

(b) Are the Government in possession of the results which have been obtained from the said experiments?

(c) If so, have they been examined by the Government experts?

(d) Have the latter formulated any scheme on the subject?

(e) If so, will the Government be pleased to lay the same on the table?

(f) What immediate action, if any, are the Government taking to organise and promote the paper industry in Bengal?

(g) Will the Government be pleased to state the names of all persons and companies who have made applications for a lease of Government forests for the manufacture of paper-pulp from bamboo together with the names of the forests which the applicants have applied for?

(h) Of the applicants, how many are Indians and how many Europeans?

*Questions and Answers.***Answer by the Hon'ble Mr. McAlpin:—**

“(a) Experiments have been made in this Presidency by Messrs. Andrew Yule & Co., with a view to producing paper-pulp from bamboo.

(b) No.

(c), (d) and (e) In view of the answer to item (b), items (c), (d) and (e) do not arise.

(f) Government are promoting the paper industry by giving advice on technical matters, including matters of forestry, to firms interested in the manufacture of paper in Bengal. The question of paper-pulp will be taken up in the general scheme of detailed industrial inquiry when the local industrial department is placed on a permanent footing.

(g) and (h). Only one European firm, *viz.*, Messrs. Andrew Yule & Co., has applied to Government for a lease of the right of extraction of bamboos for the manufacture of paper-pulp. The application is under the consideration of Government.”

By the Hon'ble Babu Akhil Chandra Datta:—

15.

Will the Government be pleased to state the following particulars about the Dow Hill Government Secondary School for girls at Kurseong, namely:—

Dow Hill
Government
Secondary
School for girls
at Kurseong.

- (i) the names of the teachers and the subjects they teach;
- (ii) the pay of each teacher;
- (iii) the educational qualifications of each teacher;
- (iv) the number of girls on the rolls together with the race to which they belong;
- (v) the restrictions to admission, if any;
- (vi) the total cost incurred by the Government for the school during the last financial year; and
- (vii) the number of girls who passed the Matriculation Examination last year?

Answer by the Hon'ble Mr. O'Malley:—

“(i), (ii) and (iii) A statement is laid on the table.

(iv) The number is 120. They are either Europeans or Anglo-Indians.

(v) The School is intended for children of Europeans and Anglo-Indians in the service of Government, the claims of children of those serving in Bengal ordinarily receiving preferential treatment.

(vi) Rs. 87,119.

(vii) Nil. The Cambridge Local Examinations are taken.”

*Questions and Answers.**Statement referred to in Question No. 15 (unstarred).***DOW HILL School, Kurseong.**

Name of teacher.	Subject taught.	Pay.	Educational qualification.
		Rs.	
1. Miss T. Cummins, Offg. Head Mistress.	French ...	300 (300—20—500) 150 (C. L. A.)	Certificat des études françaises supérieures de la Sorbonne Paris.
2. French Mistress (temporary).	.....	300 Outside the graded service.	Vacant.
3. Miss J. Russel, Assistant Head Mistress.	Mathematics ...	200 (Class II, S. E. S.) 50 (C. L. A.)	First Arts Examination, Calcutta University.
4. Miss E. L. Milner, Assistant Mistress.	Mathematics and History.	200 (Class II, S. E. S.) 50 (C. L. A.)	M. A.; Senior Certificate in Training, Government Training College, Allahabad.
5. Miss A. M. C. Mack, Assistant Mistress.	English ...	250 (Class I, S. E. S.)	B. A., L. T.
6. Miss B. M. Bose, Assistant Mistress.	Geography ...	200 (150—10—250) 50 (C. L. A.)	Cambridge Higher Local honours certificate. Cambridge Teachers certificate, class II.
7. Miss J. H. deSouza, Assistant Mistress.	Kindergarten ...	150 (Class III, S. E. S.) 80 (C. L. A.)	Matriculation, short Training in Maria Gray Training College, London.
8. Miss M. Stuart, Assistant Mistress.	General subjects, Junior School.	150 (Class III, S. E. S.) 50 (C. L. A.)	High School Certificate. (On leave) Miss Millett, acting.—
9. Miss A. North, Games Mistress.	Drill, Games and Dancing.	150 (Class III, S. E. S.) 80 (C. L. A.)	Senior and Junior Oxford, South Kensington, Drawing.
10. Miss R. Wearing, Mistress of Drawing and Painting (temporary).	Drawing, Painting and Singing.	150 O. G. S. 80 (C. L. A.)	4 years Art Training in Germany and England under Herr Frolich and Reginald Smith; Teachers certificate, Ambleside.
11. Miss E. A. Lumsden, Assistant Mistress.	Botany (English and Arithmetic, class II).	100 (Class V, S. E. S.) 90 (C. L. A.)	Higher certificate, National Froebel Union; trained in England.
12. Miss M. Mackertich, Assistant Mistress.	Scripture and Needle-work.	100 (O. G. S.) 90 (C. L. A.)	High School Teachers Training certificate, All Saints' College, Nainital.
13. Miss M. Bwyne, Assistant Mistress.	English and Mathematics.	100 (Class V, S. E. S.)	B. A. (Allahabad); trained at All Saints' College, Nainital.
14. Miss S. George, 1st Music Mistress.	Music ...	115 (110—5—170) 50 (C. L. A.)	Advanced Grade Ex. Assoc. Board, R. A. M. & R. C. M., London.
15. Miss P. M. Pemberton, 2nd Music Mistress.	Do. ...	100 (100—5—150) 50 (C. L. A.)	A. L. C. M.
16. Miss E. Lawrence, 3rd Music Mistress (temporary).	Do. ...	100 (O. G. S.) 50 (C. L. A.)	Associated Trinity College, London.
17. Mistress of Domestic Economy and Housewifery.	Domestic Economy and Housewifery.	200—10—250	Vacant.

*Questions and Answers.***By the Hon'ble Babu Akhil Chandra Datta:—****16.**

(a) Will the Government be pleased to enumerate all the projects which have been recommended by the Sanitary Board for the sanitary improvement of the province? Sanitary improvement of the province.

(b) Which of them, if any, have received the administrative approval of the Government?

(c) Which of them, if any, have been executed, and at what cost?

(d) Which of them do the Government contemplate carrying out during the current financial year, and at what approximate cost?

Answer by the Hon'ble Mr. O'Malley:—

“(a), (c) and (d) A statement is laid on the table.

(b) All the schemes have received the administrative approval of Government.”

Statement referred to in Answer to Question No. 16 (unstarred).

Year.	Schemes recommended by the Sanitary Board.	Year.	Schemes already executed and their cost.	Rs.
1894.	Cossipur-Chitpur water-supply.	1894.	Cossipur-Chitpur water-supply ...	80,000
1896.	Faridpur ditto.	1896.	Howrah water-supply	15,00,000
	Howrah ditto.	1898.	Patuakhali ditto ...	4,000
1897.	Berhampur ditto.	1899.	Berhampur ditto ...	2,40,000
	Cossipur-Chitpur drainage.	1900.	Krishnagar drainage scheme ...	28,000
1899.	Patuakhali water-supply	1903.	Garden Reach water-supply ...	44,000
1900.	Maniktola water-supply extension.	1904.	Tittaghur water-supply	13,000
1901.	Jessore water-supply.		South Suburban water-supply ...	29,000
	Dinajpur drainage scheme.		Gurulia water-supply	5,000
1902.	Faridpur water-supply.	1906.	Bhatpara ditto ...	21,000
	Garden-Reach water-supply	1907.	Khulna ditto ...	18,000
	South Suburban ditto	1908.	Faridpur ditto ...	12,000
	Burdwan water-supply improvement.		Narayangunge ditto ...	2,20,000
	Mymensingh water-supply improvement.		Tollygunge ditto ...	16,000
	Howrah drainage scheme		Tittaghur drainage scheme ...	85,000
1903.	Tittaghur water-supply.	1910.	English Bazar drainage scheme ...	24,000
	Garulia ditto.	1911.	Maniktola water-supply	14,000
	Bhatpara ditto.		Naihati ditto	14,000
	Howrah drainage scheme.		Khulna drainage scheme ...	6,800
1905.	Howrah drainage scheme (extension).		Bhatpara drainage scheme ...	17,000
	Tittaghur drainage scheme.		Basirhat drainage scheme ...	7,000
1906.	Khulna water-supply.		Baraset drainage scheme	11,000
	Narainganj ditto.		Garulia drainage scheme	29,000
	Tollygunge water-supply extension.	1912.	Darjeeling water-supply improvement ...	1,84,000
	Kurseong water-supply improvement.		Kurseong water-supply	65,000
	Maniktola water-supply.		Barisal ditto ...	1,07,000
	Howrah drainage scheme (Northern Foreshore section).		Chandpur ditto ...	27,000
1907.	Howrah waterworks extension.		Darjeeling drainage scheme ...	76,000
	Baraset drainage scheme.		Bhatpara drainage scheme ...	1,16,000
	Basirhat ditto.		Budge-Budge drainage (portion) ...	15,000
	Baruipur ditto.			
	Baranagar ditto.			
	Budge-Budge ditto.			
	Garulia ditto.			
	Howrah drainage scheme (Southern Foreshore section).			
1908.	Khulna drainage scheme.			
	Howrah drainage scheme (Southern Foreshore section).			
	Howrah drainage scheme (Northern Foreshore section).			
	English Bazar drainage scheme.			

Questions and Answers.

Year.	Schemes recommended by the Sanitary Board.	Year.	Schemes already executed and their cost.	Rs.
1909.	Jessore water-supply.	1913.	Pirojpur water-supply	20,000
	• Naihafi ditto.		South Suburban water-supply extension ...	22,000
	Bhatpara drainage scheme.		Garulia drainage scheme	15,000
	Berhampur ditto.		Serampur waterworks	1,54,000
1910.	Khulna water-supply extension.	1914.	Jessore water works ...	1,54,000
	South Suburban water-supply extension.		Hooghly-Chinsura water-works	6,03,500
	Hooghly-Chinsura water-supply.		Ranaghat drainage ...	35,000
	Burdwan drainage scheme.		Berhampur drainage ..	32,809
	Kushtia ditto.		Uttarpara drainage ...	10,250
	Bankura ditto.		Bankura drainage ...	10,000
	Darjeeling water-supply improvement.	1915.	Bankura waterworks	55,455
1911.	Serampur water-supply.		Burdwan drainage (1st portion) ...	1,30,000
	Barisal water-supply.		Kushtia drainage ...	27,063
	Pirojpur ditto.		Bhadreswar drainage (Contract No. 1) ...	15,821
	Darjeeling drainage scheme.		Baruipur drainage ...	17,209
1912.	Bankura water-supply.		Kurseong drainage ...	61,619
	Howrah water-supply (extension and improvement).	1916.	Chittagong waterworks	3,58,796
	Chandpur water-supply.		Barisal waterworks completion ...	20,000
1912.	Uttarpara drainage scheme.		Katwa drainage ...	52,000
	Katwa drainage scheme.	1917.	Bhadreswar drainage (Contract No. 2) ...	10,500
	Ranaghat ditto.		Tangail drainage ...	17,290
	Bhatpara drainage outfall.		Garden-Reach drainage ...	81,433
1913.	Bhadreswar drainage scheme (portion).	1918.	Bhatpara drainage (extension) ...	23,000
	Howrah drainage scheme (central).		Uttarpara waterworks ...	1,50,545
	Burdwan water-supply improvement.	1919.	Satkhira waterworks ...	70,000
1914.	Chittagong water-supply.		Nator waterworks ...	88,200
	Burdwan water-supply improvement.			
	Howrah water-supply improvement (Bally khal).		Schemes in progress during the current year and their cost.	
	Barisal water-supply (completion).		Kurseong sewerage estimated cost ...	1,08,000
	Narayanganj water-supply (extension).		Dacca sewerage (initial portion) estimated cost	10,08,000
	Uttarpara water-supply.		Dacca waterworks improvement estimated cost ...	1,22,377
	Garden-Reach drainage.		Mymensingh water-supply scheme estimated cost ...	1,53,306
	Kurseong drainage.		Midnapore water-supply scheme estimated cost	5,54,000
1915.	Chandpur water-supply (northern portion).		Krishnagar water-supply scheme estimated cost	4,13,600
	Berhampur water-supply improvement.			
1917.	Mymensingh waterworks improvement (1st portion).			
1918.	Kurseong sewerage.			
	Reconstruction of drain in Bhagatbir Jhora in Kurseong.			
1919.	Krishnagar water-supply.			
	Dacca sewerage (initial portion).			
	Noakhali water-supply.			
	Darjeeling waterworks improvement.			

By the Hon'ble Babu Akhil Chandra Datta:—

17.

Number of beds in the hospitals in Bengal.

(a) Will the Government be pleased to lay on the table a statement showing the number of beds which the hospitals in all the districts of Bengal contain?

(b) Have any beds been added in any hospital or hospitals during the last five years? If so, how many, and in which hospital?

Answer by the Hon'ble Mr. Marr:—

“Two statements are laid on the table.”

Questions and Answers.

A.

Statement referred to in the answer by the Hon'ble MR. MARR to question No. 17 (unstarred) asked by the Hon'ble BABU AKHIL CHANDRA DATTA at the Council meeting of the 18th December, 1919, showing the number of beds available in hospitals in Calcutta.

			Men.	Women.	Total.
<i>Calcutta—</i>					
Medical College Hospital—Medical	...	...	187	67	254
Ditto Surgical	...	...	152	54	206
Eden Hospital	...	...	...	105	105
Sham Charan Law Eye Infirmary	...	...	38	13	51
Presidency General Hospital	...	...	155	80	235
Campbell Hospital	...	...	377	253	630
Sambhu Nath Pundit Hospital	...	...	76	26	102
Victoria Memorial Hospital for Females	...	...	...	78	78
Kalighat Ram Chandra Goenka Hospital	...	...	16	4	20
Mayo Hospital	...	...	89	16	105
Belgachia Albert Victor Hospital	...	...	71	41	112
Howrah General Hospital	...	...	89	40	129
Dufferin Victoria Hospital	...	...	...	104	104
Total	...	...	1,250	881	2,131
<i>Burdwan—</i>					
Katwa Hospital	...	...	4	...	4
Raniganj Hospital	...	...	12	6	18
Asansol Hospital	...	...	16	6	22
Burdwan Fraser Hospital	...	...	97	30	127
Kalna Mission Hospital	...	...	52	18	70
Total	...	...	181	60	241
<i>Birbhum—</i>					
Suri Sadar Hospital	...	...	22	...	22
Bolpur Waller Charitable Dispensary	...	...	2	2	4
Rampur Hat Dispensary	...	...	6	2	8
Lady Curzon Zenana Hospital	...	...	...	5	5
Total	...	...	30	9	39
<i>Bankura—</i>					
Bankura Sadar Hospital	...	...	22	14	36
Vishnupur Dispensary	...	...	7	3	10
Saranga Mission Dispensary	...	...	4	2	6
Lady Dufferin Zenana Hospital	...	...	...	2	2
Total	...	...	33	21	54
<i>Midnapore—</i>					
Kharagpur Passenger and Isolation Hospital.	...	...	6	2	8
Sadar King Edward Memorial Hospital	...	...	63	18	81
Tamluk Dispensary	...	...	6	3	9
Ghatal ditto	...	...	6	3	9
Gewankhali ditto	...	...	1	1	2
Dantan ditto	...	...	6	2	8
Contai ditto	...	...	12	4	16
Nandigram ditto	...	...	4	2	6
Total	...	...	104	35	139

Questions and Answers.

		Men.	Women.	Total.
<i>Hooghly—</i>				
Uttarpara Dispensary	...	16	4	20
Serampore Walsh Hospital	...	36	20	56
Arambagh Dispensary	...	5	3	8
Hooghly Imambarah Sadar Hospital	...	45	25	70
Total	...	102	52	154
<i>Howrah—</i>				
Amragori Dispensary	...	6	...	6
Amta ditto	...	4	...	4
Sulkia Infectious Hospital	...	14	4	18
Ulubaria ditto	...	4	4	8
Total	...	28	8	36
<i>24 Parganas—</i>				
Dum-Dum Cantonment Hospital	...	2	2	4
Barisha Dispensary	...	5	1	6
Barirhat ditto	...	4	2	6
Barasat ditto	...	10	3	13
Budge-Budge ditto	...	10	4	14
Diamond Harbour ditto	...	13	7	20
North Suburban Hospital, Cossipore	...	33	11	44
Russa (Prince Golam Mohammad) Charitable Dispensary	...	16	6	22
B. N. Bose Dispensary, Barrackpore	...	16	8	24
Total	...	109	44	153
<i>Nadia—</i>				
Krishnagar Sadar Hospital	...	23	14	37
Ranaghat Dispensary	...	4	2	6
Santipur ditto	...	4	1	5
Meherpur ditto	...	3	2	5
Kushtia ditto	...	4	2	6
Navadwip ditto	...	2	2	4
Chuadanga ditto	...	3	2	5
Ratanpur Mission Female Hospital	...	...	32	32
Total	...	43	57	100
<i>Murshidabad—</i>				
Berhampore Sadar Hospital	...	56	38	94
Lalbagh Dispensary	...	12	6	18
Jangipur ditto	...	12	4	16
Azimganj ditto	...	12	4	16
Total	...	92	52	144
<i>Jessore—</i>				
Jessore Sadar Hospital	...	22	6	28
Kotchandpur Dispensary	...	4	2	6
Jhenida ditto	...	6	2	8
Magura ditto	...	4	4	8
Narail ditto	...	4	1	5
Bongaon ditto	...	4	2	6
Total	...	44	17	61

Questions and Answers.

		Men.	Women.	Total.
<i>Khulna—</i>				
Khulna Woodburn Hospital	...	26	11	27
Satkhira Dispensary	...	5	3	8
Bagerhat ditto	...	11	2	13
Nawapara ditto	...	4	2	6
Total	...	46	18	64
<i>Dacca—</i>				
Mitford Hospital, Dacca	...	131	24	155*
Narayanganj Victoria Hospital	...	26	6	32
Hashara Joykali Charitable Dispensary	...	2	2	4
Munshiganj Dispensary	...	13	4	17
Manikganj ditto	...	8	2	10
Lady Dufferin Hospital, Dacca	...	...	10	10
Total	...	180	48	228
<i>Mymensingh—</i>				
Mymensingh Sadar	...	46	22	68†
Sherpur Dispensary	...	5	2	7
Hybutnagar ditto	...	6	2	8
Jamalpur ditto	...	14	4	18
Tangail ditto	...	12	4	16
Bajitpur ditto	...	4	...	4
Dhalla ditto	...	3	1	4
Netrokona ditto	...	14	4	18
Bhairab Bazar ditto	...	3	1	4
Total	...	107	40	147
<i>Faridpur—</i>				
Faridpur Sadar Hospital	...	18	9	27
Madaripur Dispensary	...	6	2	8
Rajbari ditto	...	15	4	19
Gopalganj ditto	...	8	...	8
Goalundo Ghat ditto	...	34	8	42
Total	...	81	23	104
<i>Bakarganj—</i>				
Barisal Isolation Hospital	...	12	4	16
Barisal Sadar Hospital	...	33	9	42
Pirojpur Dispensary	...	16	4	20
Patuakhali ditto	...	10	3	13
Bhola ditto	...	7	1	8
Daulatkhan ditto	...	2	...	2
Total	...	80	21	101
<i>Chittagong—</i>				
Chittagong General Hospital	...	58	14	72
Cox's Bazar Dispensary	...	4	4	8
Sitakunda ditto	...	5	1	6
Total	...	67	19	86

* The number will be raised on the completion of the new wards.
† In the new hospital there will be 80 beds.

Questions and Answers.

		Men.	Women.	Total.
<i>Noakhali—</i>				
Noakhali Sadar Hospital	...	22	3	25
Feni Dispensary	...	10	3	13
Harishpur Dispensary	...	2	...	2
Total	...	34	6	40
<i>Tippera—</i>				
Comilla Sadar Hospital	...	24	4	28
Brahmanbaria Hospital	...	11	1	12
Chandpur Elgin Hospital	...	8	8	16
Lady Dufferin Faizunnessa Hospital, Comilla	...	...	4	4
Total	...	43	17	60
<i>Chittagong Hill Tracts—</i>				
Rangamati Sadar Hospital	...	4	4	8
Bandarban Dispensary	...	4	...	4
Mahalchari ditto	...	2	2	4
Manikchari ditto	...	3	...	3
Lama ditto	...	1	1	2
Barkhal ditto	...	2	...	2
Ramgarh ditto	...	1	...	1
Tintilla ditto	...	1	...	1
Total	...	18	7	25
<i>Rajshahi—</i>				
Rampur Boalia Sadar Hospital	...	31	9	40
Natore Dispensary	...	12	4	16
Naugaon Price Charitable Dispensary	...	4	2	6
Total	...	47	15	62
<i>Dinajpur—</i>				
Dinajpur Sadar Hospital	...	38	16	54
Thakurgaon Dispensary	...	10	2	12
Balurghat ditto	...	4	2	6
Total	...	52	20	72
<i>Jalpaiguri—</i>				
Buxa Duar Civil Dispensary	...	1	1	2
Jalpaiguri Sadar Hospital	...	46	12	58
Alipur Duars Hospital	...	4	2	6
Falakata Dispensary	...	4	1	5
Total	...	55	16	71
<i>Rangpur—</i>				
Rangpur Sadar Hospital	...	47	11	58
Gaibanda Dispensary	...	4	2	6
Kurigram ditto	...	4	2	6
Nilphamari ditto	...	4	1	5
Ulipur ditto	...	4	2	6
Total	...	63	18	81

Questions and Answers.

			Men.	Women.	Total.
<i>Bogra—</i>					
Bogra Sadar Hospital	...	...	18	4	22
Sherpur Dispensary	...	...	2	2	4
		Total	20	6	26
<i>Pabna—</i>					
Pabna Sadar Hospital	...	...	21	6	27
Serajganj Victoria Hospital	...	...	22	8	30
		Total	43	14	57
<i>Malda—</i>					
Malda English Bazar Hospital	...	...	22	6	28
Nawabganj Dispensary	...	...	4	4	8
		Total	26	10	36
<i>Darjeeling—</i>					
Naxalbari Dispensary	...	...	8	3	11
Pankhabari ditto	...	...	8	8	16
Darjeeling Victoria Hospital	...	...	31	16	47
Kurseong Dispensary	...	...	16	10	26
Siliguri ditto	...	...	16	4	20
Pedong ditto	...	...	2	2	4
Kalimpong Mission Hospital	...	...	25	25	50
Eden Sanitarium Hospital	...	...	91	...	91
		Total (excluding Calcutta)	1,925	721	2,646
		Total (including Calcutta)	3,175	1,602	4,777

B.

Statement referred to in the answer by the Hon'ble MR. MARR to question No. 17 (unstarred) asked by the Hon'ble BABU AKHIL CHANDRA DATTA at the Council Meeting of the 18th December, 1919, showing the number of beds that have been added in the hospitals named against each during the last five years.

		NUMBER OF BEDS.		Total.
		Men.	Women.	
<i>Calcutta—</i>				
Medical College Hospitals	...	34	21	55
Eden Hospital	...	...	9	9
Dufferin Victoria Hospital	...	...	4	4
	Total	...	34	68
<i>Burdwan—</i>				
Fraser Hospital	...	8	...	8
<i>Birbhum—</i>				
Suri Sadar Hospital	...	10	...	10
Bolpur Waller Charitable Dispensary	...	2	2	4
	Total	...	12	14

Questions and Answers.

				NUMBER OF BEDS.		Total.
				Men.	Women.	
<i>Bankura</i>	...	...	...	<i>Nil</i>		
<i>Midnapore—</i>						
Sadar King Edward Memorial Hos-						
pital	...	...	...	13	3	16
Dantan Hospital	...	...	...	4	...	4
			Total	...	3	20
				—	—	—
<i>Hooghly</i>	...	...	...	<i>Nil</i>		
<i>Howrah—</i>						
Amta Hospital	...	...	...	4	...	4
				—	—	—
<i>24-Parganas—</i>						
Barasat Hospital	...	...	...	2	1	3
Budge-Budge Hospital	...	...	...	6	2	8
Diamond Harbour Hospital	...	...	...	2	...	2
North Suburban Hospital, Cossipur	...	...	...	3	1	4
			Total	...	4	17
				—	—	—
<i>Nadia—</i>						
Krishnagar Sadar Hospital	...	...	...	3	8	11
Chuadanga Hospital	...	...	...	2	1	3
Ratanpur Mission Female Hospital	...	...	...	...	10	10
			Total	...	19	24
				—	—	—
<i>Murshidabad—</i>						
Berhampore Sadar Hospital	...	...	...	...	1	1
Jangipur Hospital	...	...	...	4	...	4
			Total	...	1	5
				—	—	—
<i>Jessore—</i>						
Jessore Sadar Hospital	...	...	...	4	...	4
Kotchandpur Hospital	...	...	...	2	2	4
Jhenida do.	...	...	...	2	...	2
			Total	..	2	10
				—	—	—
<i>Khulna—</i>						
Khulna Woodburn Hospital	...	...	...	4	2	6
Bagerhat Hospital	...	...	...	1	...	1
Nawapara do.	...	...	...	4	2	6
			Total	...	4	13
				—	—	—
<i>Dacca—</i>						
Munshiganj Hospital	...	...	...	8	...	8
Lady Dufferin Zenana Hospital	...	...	...	...	6	6
			Total	...	6	14
				—	—	—
<i>Mymensingh—</i>						
Mymensingh Sadar Hospital	...	...	...	9	15	24
Bajitpur Hospital	...	...	...	4	...	4
			Total	...	15	28
				—	—	—

Questions and Answers.

				NUMBER OF BEDS.		Total.	
				Men.	Women.		
<i>Faridpur—</i>							
Rajbari	...	...	...	3	...	3
<i>Bakarganj—</i>							
Barisal Sadar	...	...	...	...	3	3
<i>Chittagong—</i>							
Chittagong General Hospital	...	...	...	12	2	14
Sitakunda Hospital	...	...	...	3	...	3
		Total	...	15	2	17	
<i>Noakhali—</i>							
Noakhali Sadar Hospital	...	...	...	7	...	7
Feni Hospital	...	...	...	2	...	2
Harishpur do.	...	...	...	2	...	2
		Total	...	11	...	11	
<i>Tippera—</i>							
Chandpur Elgin Hospital	...	...	...	4	6	10
<i>Rajshahi—</i>							
Rampur Boalia Hospital	...	...	...	7	...	7
<i>Dinajpur—</i>							
Thakurgaon Hospital	...	...	...	4	...	4
Balurghat do.	...	...	...	1	...	1
		Total	...	5	...	5	
<i>Jalpaiguri—</i>							
Jaipalguri Sadar Hospital	...	...	...	19	8	27
Falakata Hospital	...	...	...	1	...	1
		Total	...	20	8	28	
<i>Rangpur—</i>							
Rangpur Sadar Hospital	...	...	...	7	1	8
<i>Bogra—</i>							
Bogra Sadar Hospital	...	...	...	2	...	2
<i>Pabna—</i>							
Serajganj Victoria Hospital	...	...	...	...	4	4
<i>Malda—</i>							
Nawabganj Hospital	...	...	...	4	4	8
<i>Darjeeling—</i>							
Naxalbari Hospital	...	...	...	1	...	1
Pedong do.	...	...	...	...	2	2
Kalimpong do.	...	...	...	...	5	5
		Total	...	1	7	8	
GRAND TOTAL				...	214	125	339

*Questions and Answers.***By the Hon'ble Babu Akhil Chandra Datta:—****18.**Number of
dispensaries
maintained by
district boards.

Will the Government be pleased to lay on the table a statement showing the number of dispensaries maintained by each district board in Bengal?

Answer by the Hon'ble Mr. Marr:—

"The following statement is laid on the table."

Statement referred to in the answer by the Hon'ble MR. MARR to question No. 18 (unstarred) asked by the Hon'ble BABU AKHIL CHANDRA DATTA at the Council meeting of the 18th December 1919, showing the number of Dispensaries maintained by each District Board.

[Vide List of Dispensaries corrected up to the 30th November, 1919.]

District.	Number of Dispensaries.	REMARKS.
CIVIL SURGEONS.		
I.—BURDWAN DIVISION—		
1. Bardwan ...	17 and 9*	* Temporary Fever Dispensaries ; most of them are working for some months every year. Of this one is maintained both by the District Board and Suri Municipality.
2. Birbhum ...	6	
3. Bankura ...	5	
4. Midnapore ...	2	
5. Hooghly ...	10	
6. Howrah ...	6	
Total ...	46	
II.—PRESIDENCY DIVISION—		
7. 24 Parganas ...	17	
8. Nadia ...	9	
9. Murshidabad ...	5	
10. Jessore ...	11	
11. Khulna ...	19	
Total ...	61	
III.—DACCA DIVISION—		
12. Dacca ...	20	
13. Mymensingh ...	23	
14. Faridpur ...	15	
15. Bakarganj ...	26	
Total ...	84	
IV.—CHITTAGONG DIVISION—		
16. Chittagong ...	16	Of this one is maintained both by the District Board and the local Municipality.
17. Neakhali ...	14	
18. Tippera ...	16	
19. Chittagong Hill Tracts ...	...	There is no District Board.
Total ...	46	

Questions and Answers.

District.	Number of Dispensaries.	REMARKS.
V.—RAJSHAHI DIVISION—		
20. Rajshahi ...	10	
21. Dinajpur ...	11	
22. Jalpaiguri ...	1	
23. Rangpur ...	27	
24. Bogra ...	12	
25. Pabna ...	1	
26. Malda ...	6	
27. Darjeeling ...	...	There is no District Board.
Total ...	68	
GRAND TOTAL ...	305 and 9*	* Temporary Fever Dispensaries.

By the Hon'ble Babu Akhil Chandra Datta:—**19.**

(a) Will the Government be pleased to state whether Mr. Pilgrim, the tanning expert, has submitted his report about the possibilities of obtaining tanning materials from the Sundarban forests?

(b) If so, will the Government be pleased to publish it?

(c) What action, if any, do the Government propose to take in this connection?

Report of the tanning expert on the tanning materials obtainable from the Sundarban forests.

Answer by the Hon'ble Mr. McAlpin:—

“The report has not yet been received; the subsidiary points raised in the question do not, therefore, at present arise.”

By the Hon'ble Babu Akhil Chandra Datta:—**20.**

(a) Will the Government be pleased to state whether it is a fact that Baladeb Pande, father of Debanand, a *détenu* interned in village Malo, within the Jalpaiguri district, submitted a petition in July last to grant his son leave for one month to enable him to come home to perform the yearly *sradh* of his mother which was to take place on the 23rd *Srabon* last?

Alleged refusal to grant leave to a *détenu*.

(b) Is it a fact that the Additional Under-Secretary informed him in reply that the Government were not prepared to accede to his prayer?

(c) Is it a fact that thereafter Baladeb Pande sent a wire to the Additional Secretary, Political Department, praying for seven days' leave for his son Debanand and that this prayer was also rejected?

(d) Is it a fact that Debanand is the only son of his parents?

(e) Will the Government be pleased to state the reasons why leave was not granted to Debanand with such restrictions as might have been considered necessary?

Answer by the Hon'ble Mr. Stephenson:—

(a) Baladeb Pande did submit a petition to that effect.

(b) Yes.

(c) Yes.

(d) Yes.

Questions and Answers.

(e) *Détenus* are usually allowed leave to go home on the occasion of the first *sradh* after a parent's death but not on the occasion of the annual *sradh*. In Debanand Pande's case there was no reason for the grant of a special concession."

By the Hon'ble Babu Akhil Chandra Datta:—

21.

Particulars about the construction, etc., of a building occupied by the Settlement Officer of Tippera and Noakhali.

(a) Will the Government be pleased to state what was the total cost incurred in building the two-storied *pucca* house at Comilla which was till very recently in the personal occupation of the Settlement Officer of Tippera and Noakhali?

(b) From what fund did the cost of construction of the said building come?

(c) What was the purpose for which the building was originally constructed?

(d) How is the building proposed to be utilised now that it is no longer required for the Settlement Officer?

(e) Is there any foundation for the popular impression that the cost of the said building was included in the cost of the settlement operations which have been or which are proposed to be recovered from the landlords and tenants concerned?

(f) Will the Government be pleased to lay on the table the correspondence and other papers relating to the construction of the said building and leading up to the final order or sanction under which the building was constructed?

Answer by the Hon'ble Mr. McAlpin:—

"(a) Rupees 53,130, including cost of out-houses, land and establishment charges of the Public Works Department.

(b) The cost was met by the Government of India, as the initial expenditure in connection with all major settlements is advanced by the Imperial Government.

(c) It was built as a residence for the Settlement Officer and an Assistant Settlement Officer; but it was intended that at the conclusion of the settlement operations it would be used as a residence for some other Government officer.

(d) It has been arranged to utilise it as the Collector's residence.

(e) It is the case that the original cost is included in the cost of the operations; but the Hon'ble Member appears to be under a misapprehension. It is also the case that the proceeds from the sale of the said building to the Local Government are credited to the account of the operations as well as the rent realised during the time it has been in the possession of the Settlement Department. The minus difference, if any, between the original cost and the subsequent credits, is borne by the Government of India and the landlords and tenants in the proportion of 1 : 3. The amount to be paid by the Local Government for the building has not yet been determined; and it is therefore not yet possible to say whether the transaction will result in a small profit or loss to the landlords and tenants.

(f) No."

*Questions and Answers.***By the Hon'ble Babu Akhil Chandra Datta:—****22.**

(a) Will the Government be pleased to state what was the total cost incurred in the construction of the one-storied building at Comilla which has been used and is still used as the office of the Settlement Officer of Tippera and Noakhali?

Cost of construction of a building for the office of the Settlement Officer of Tippera and Noakhali.

(b) Has this cost been included in the cost of settlement operations which have been or which are proposed to be recovered from the landlords and tenants concerned?

(c) What use is it proposed to make of this building now that it will no longer be required for the office of the Settlement Officer?

Answer by the Hon'ble Mr. McAlpin:—

“(a) Rupees 25,417, excluding establishment charges of the Public Works Department.

(b) and (c) Several alternative schemes for the utilization of this building have been put forward from time to time, and recently a site committee under the presidency of the Commissioner of Chittagong was appointed to consider these schemes and advise Government. They have proposed that the Police Department should take over the building at a proper valuation as part of the scheme for new police lines. The difference between the original cost and the present valuation will in that case be borne by the Government of India and the parties from whom costs are realisable under section 114 of the Tenancy Act in the proportion of 1 : 3.”

By the Hon'ble Babu Akhil Chandra Datta:—**23.**

(a) Will the Government be pleased to state whether they are under any obligation to provide Settlement Officers with their private quarters?

Provision of private quarters for Settlement Officers.

(b) Will the Government be pleased to lay on the table the rules or circulars, if any, as to the cost of construction of private quarters for Settlement Officers?

Answer by the Hon'ble Mr. McAlpin:—

“(a) Government have agreed to the erection of quarters only at the headquarters of districts where no suitable houses are available. In districts such as Bankura and Murshidabad no such special provision has been found necessary.

(b) There are no special rules or circulars regarding the cost of construction of buildings for Settlement Officers as distinct from buildings for other officers.”

By the Hon'ble Babu Akhil Chandra Datta:—**24.**

(a) Is it a fact that Mr. Sudhir Kumar Bose was recently admitted into the Calcutta Medical College as a patient in a room which is ordinarily allowed to European patients, but that he was removed on the day following to the Ezra Hospital on no other ground than that he is an Indian?

Removal of an Indian patient from the Medical College Hospital to the Ezra Hospital.

(b) Is it a fact that he had fever at the time of such removal?

(c) Is it a fact that Mr. Bose is a Doctor in the Military Service?

(d) Are the Government aware that instances of racial distinction cause great irritation to the Indian mind.

(e) Will the Government be pleased to state what action, if any, they are taking in the matter?

*Questions and Answers.***Answer by the Hon'ble Mr. Marr:—**

(a) Mr. Sudhir Kumar Bose is an old student of the Medical College, Calcutta. As a matter of special privilege Indian students, when ill, are permitted to occupy a room in the Ezra Hospital. As an old student of the Medical College, the same privilege was extended to Mr. Sudhir Kumar Bose, and he has been enjoying the benefit of a large airy room to himself. His father has expressed his personal gratitude for this privilege being extended to him.

(b) Mr. Bose had fever at the time of his removal, but no risk was thereby involved, otherwise the patient would not have been moved.

(c) Yes.

(d) and (e) As explained in (a), this is not a case of racial distinction and no further action is proposed."

By the Hon'ble Babu Akhil Chandra Datta:—

25.

Introduction of
the Bengal
Village
Self-Government
Act, 1919, in
the province.

(a) What are the districts in which the Government propose immediately to introduce the Bengal Village Self-Government Act, 1919?

(b) When is the election of the Union Boards and Local Boards under the said Act likely to come off?

(c) What contribution, if any, do the Government propose to make to the total " Union Fund " of the Presidency in the year 1920-21?

Answer by the Hon'ble Mr. O'Malley:—

(a) The Act has been extended to the Sadar Kalna and Katwa subdivisions of the Burdwan district with effect from the 1st November, 1919, and it is expected that it will shortly be extended to the Dacca district. It is also in contemplation to extend the Act to other districts, but complete schemes for the establishment of Unions have not yet been formulated.

(b) The first election of Union Boards under the rules framed under the Bengal Village Self-Government Act will take place within six months after their establishment under section 6 of the Act. The election of Local Boards is regulated by the Bengal Local Self-Government Act and not by the Bengal Village Self-Government Act.

(c) Government do not contemplate making any contributions to the ' Union Funds ' in the year 1920-21."

By the Hon'ble Babu Akhil Chandra Datta:—

26.

Conferment on
district boards
of the right of
electing their
own chairman.

(a) Will the Government be pleased to state whether it is in their contemplation to confer upon any district board or boards the right of electing their own chairman within 1920?

(b) Will the Government be pleased to make a full statement as to the policy they propose to follow in this connection?

Answer by the Hon'ble Mr. O'Malley:—

(a) and (b) The Hon'ble Member is referred to the announcement made by His Excellency the Governor at the District Board conference held at Government House, Calcutta, on the 4th December, 1919."

Questions and Answers.

By the Hon'ble Babu Akhil Chandra Datta:—

27.

Will the Government be pleased to make a full statement, district by district, of the relief given by the Government to the cyclone-stricken people in— Relief measures to the cyclone sufferers.

- (1) cloth;
- (2) rice;
- (3) cash;
- (4) loan; and
- (5) seeds?

Answer by the Hon'ble Mr. McAlpin:—

“ Full and detailed statements, district by district, are under preparation and will be published after the conclusion of the relief operations.”

By the Hon'ble Babu Akhil Chandra Datta:—

28.

(a) Will the Government be pleased to state whether it is at present in their contemplation to appoint District and Sessions Judges from the members of the mufassal Bar? Appointment of District and Sessions Judges from the members of the mufassal Bar.

(b) If so, how many appointments are proposed to be made and when?

(c) What will be the procedure to be followed in making the selections?

(d) Upon whose recommendation will the appointments be made?

(e) Is it in the contemplation of the Government to invite nomination from all District Judges or District Magistrates on the occasion of each appointment?

(f) Have the Government made any rules in this behalf?

(g) If so, will the Government be pleased to lay them on the table?

Answer by the Hon'ble Mr. Stephenson:—

“ The question of recruitment of District and Sessions Judges from the Bar has been under consideration in connection with the recommendation of the Public Services Commission. Until final orders are passed in the matter, no details can be settled.”

By the Hon'ble Babu Akhil Chandra Datta:—

29.

(a) Will the Government be pleased to state whether it is a fact that among the Additional District Judges there are some who have had hardly any experience or training in civil cases, who have to hear appeals in intricate civil suits against the decisions of very senior Subordinate Judges and Munsifs? Hearing of appeals by Additional District Judges.

(b) Has the attention of the Government been drawn to the opinion that has been expressed that it is unfair not only to the litigants but also to the officers themselves that they should be required to hear intricate civil appeals without previous training and experience?

(c) Are the Government considering the desirability of making an inquiry and of taking such steps as may be necessary to bring about a reform in this matter?

*Questions and Answers.***Answer by the Hon'ble Mr. Stephenson:—**

"It is a fact that some Additional District Judges at the time of their first appointment have had little experience in civil cases, but the instances in which they are required immediately to hear intricate civil appeals are rare. The question of improving the legal training of members of the Indian Civil Service who are allotted to the judicial branch has long received the attention of Government, and in 1913 proposals were sanctioned by the Secretary of State to enable them to undertake courses of study in law in England. In 1914 orders were passed under which selected junior members of the service were to be given continuous training in civil cases for a period of 18 months before they joined the judicial branch, but owing to the depletion of the cadre and the strain upon it in connection with the war, only three officers have so far received this training. It is hoped that, with the return of more normal conditions, it will be found possible to extend the system."

By the Hon'ble Babu Akhil Chandra Datta:—

30.

Facilities to
Eurasians for
appointments
on railways.

Is there any foundation for the complaint that in the Assam-Bengal Railway and other railways in Bengal greater facilities are afforded to Eurasians than to Indians in the matter of appointments, and that better pay and prospects are ensured to the former than to the latter?

Answer by the Hon'ble Mr. Cowley:—

"The Local Government have no information."

By the Hon'ble Babu Akhil Chandra Datta:—

31.

Improvement
in the Dacca
School of
Engineering.

(a) Will the Government be pleased to state what is the improvement now contemplated by the Government in the Dacca School of Engineering?

(b) What amount has been actually allotted for the said improvement?

Answer by the Hon'ble Mr. O'Malley:—

"(a) Government have sanctioned the following proposals for developing and improving the work of the Dacca School of Engineering:—

- (1) that the school should be transferred from its present site in the Dacca College compound to the Eastern Bengal and Assam Secretariat Press buildings;
- (2) that the school hostel at present located in the Dacca College compound should be removed to a portion of the Eastern Bengal and Assam Secretariat buildings, which will be occupied by the hostel until new buildings are erected for it on some suitable site;
- (3) that the head of the school should reside in the Eastern Bengal and Assam Secretariat Press compound;
- (4) that the Head Master of the school should be designated Principal;
- (5) that the school should be placed under a Governing Body exercising independent control and certain definite powers in the matter of appointment and control of staff and the administration of finances;

Questions and Answers.

- (6) that of the 40 reduced feeships which were formerly tenable by Indian students at the Apprentice Department of the Civil Engineering College, Sibpur, eight should be transferred to the Dacca School of Engineering and commuted to 8 scholarships of Rs. 10 each with effect from the commencement of the session 1918-19.

Government have also sanctioned a fixed consolidated grant to meet the contingent charges of the school for a period of three years with effect from 1920-21 and have authorized the Governing Body to exercise certain powers in spending the grant. Government have further sanctioned the creation of—

- (1) one post in class VI (Rs. 300) of the Provincial Educational Service in lieu of a post in class II (Rs. 200) of the Subordinate Educational Service;
 - (2) five posts in the Subordinate Educational Service in lieu of certain posts outside the cadre of the Subordinate Educational Service;
 - (3) one additional post outside the grades for the appointment of an additional clerk.
- (b) The actual allotments made by Government are—
- (i) fixed consolidated grant for the school for three years,—Rs. 21,000 a year;
 - (ii) additional cost of staff, Rs. 3,360 a year;
 - (iii) purchase of an additional cement-testing machine, Rs. 350.

Government will incur further expenditure on structural alterations and on the removal of the workshops in connection with the transfer of the school to its new quarters and also in erecting the new hostel buildings. The Director of Public Instruction has been asked to submit proposals as to the actual expenditure to be incurred in executing these works.

By the Hon'ble Babu Akhil Chandra Datta:—

32.

(a) Will the Government be pleased to describe the scheme now under their consideration for the expansion of the Government Weaving Institute at Serampore?

Expansion of
the Government
Weaving
Institute at
Serampore.

(b) What amount, if any, has actually been allotted for the execution of the scheme?

(c) What was the total expenditure incurred last year in financing the said institute?

(d) What tangible results have so far been achieved by the said institute?

Answer by the Hon'ble Mr. O'Malley:—

(a) The proposal is to remove the Weaving Institute from Serampore, where there are difficulties in the way of expansion, and to erect suitable buildings for its accommodation on a spacious site in the neighbourhood of Lillooah. The initial cost of the scheme (including land) is estimated at Rs. 4,32,000.

(b) No money has actually been allotted for the scheme, pending a decision on the question that has been raised of including a weaving department in the scheme for a technological institute in Calcutta.

(c) The total expenditure in 1918-19 was Rs. 33,336.

Questions and Answers.

(d) From the higher class about a dozen students are turned out yearly, nearly all of whom have obtained suitable employment in factories or mills, or as weaving teachers, inspectors, etc. From the artisan class, which is attended by practical weavers, 43 passed out in the year 1918-19: of these 28 are working at their homes on fly-shuttle looms (the use of which they have learned at the institute) and 8 are employed in hand-loom factories or under Government: particulars are wanting as to the remaining 7. There are similar results for previous years. In addition to his work at the institute the Principal directs the work of five outlying weaving schools attended by practical weavers, and also gives advice on weaving matters in reply to constant inquiries addressed to him."

By the Hon'ble Babu Akhil Chandra Datta:—

33.

Training of
foreman
mechanics at
Kanchrapara.

(a) Will the Government be pleased to describe the scheme now under their consideration for the training of foreman mechanics at Kanchrapara?

(b) What amount do the Government propose to allot for the execution of the scheme?"

Answer by the Hon'ble Mr. O'Malley:—

"(a) A copy of the report of the committee, appointed by Government in resolution No. 348-Edn., dated the 27th February, 1919, which describes the scheme, is laid on the library table.

(b) Government are considering the question of financing the scheme in consultation with the railway authorities. A sum of Rs. 45,000 has been provided in the current year's budget for the construction of a hostel for Indians at Kanchrapara."

By the Hon'ble Babu Akhil Chandra Datta:—

34.

Names of
industrial
companies to
whom facilities
have been given
for the
acquisition
of land.

(a) Will the Government be pleased to mention the names of the industrial companies to whom facilities have been afforded under the Land Acquisition Act for the acquisition of land, since the publication of the report of the Industrial Commission?

(b) What facilities have been afforded and when?

Answer by the Hon'ble Mr. McAlpin:—

"(a)

NAMES OF COMPANIES.		Dates of declarations under the Land Acquisition Act.
1. Messrs. Marshall Sons & Co., Limited, of Gainsborough, England.		25-2-19
2. The Bengal Iron and Steel Company, Limited	...	12-8-19
3. The Indian Iron and Steel Company, Limited	...	19-9-19
4. The Burma Oil Co., Limited	... ..	23-10-19
5. Messrs. Thornycroft (India), Limited	... ..	9-12-19

Other applications are under consideration.

(b) Facilities have been afforded to these Companies by the application of the provisions of the Land Acquisition Act for the acquisition of land in their behalf. The dates of the declarations under the Land Acquisition Act are mentioned opposite their names."

Questions and Answers.

By the Hon'ble Babu Akhil Chandra Datta:—

35.

Will the Government be pleased to mention the names of the industrial concerns to the promoters whereof technical advice has been given by the Government since the publication of the report of the Industrial Commission?

Names of industrial concerns to whom technical advice has been given.

Answer by the Hon'ble Mr. Marr:—

“ Technical advice has been given in 10 cases altogether. Messrs. Davenport and Company and Messrs. J. Mahabeer and Company were two of these. In the other cases the inquirers did not state whether they were connected with any industrial concern.”

By the Hon'ble Babu Akhil Chandra Datta:—

36.

(a) What is the scheme now under the consideration of the Government for the encouragement and improvement of handloom weaving?

Encouragement and improvement of handloom weaving.

(b) What is the name and status of the officer who was placed on special duty in this connection?

(c) When was he deputed and on what remuneration?

(d) What are the places at which he carried on his investigation?

(e) Has he submitted his report? If so, will the Government be pleased to lay it on the table?

Answer by the Hon'ble Mr. Marr:—

“(a) The weaving expert to the Government has been placed under the Director of Industries, but he has not yet submitted a report and no final scheme has yet been formulated.

(b) Mr. E. Hoogewerf, Principal, Serampore Weaving Institution.

(c) 5th May 1918. Graded pay Rs. 500—50—750 *plus* Rs. 355 deputation allowance.

(d) Bankura, Pabna, Asansol, Dacca, Chapra (Nadia), Zowarganj (Chittagong), Noakhali and several villages in the district of Hooghly.

(e) Yes. The report is laid on the table.”

REPORT REFERRED TO IN ANSWER TO QUESTION NO. 36 (e).

Copy of letter No. 3216/M.B., dated the 21st October 1918, from E. Hoogewerf, Esq., to the Controller of Munitions, Bengal Circle, Calcutta.

I was placed on deputation in the Financial, Commerce and Industrial Department for six months with effect from the 5th of May 1918, to assist in the improvement of the handloom weaving industry of Bengal, and as the period of my deputation will terminate on the 4th of November next, I give below a summary of the work done by me.

2. In the month of May last I proceeded to Bankura to organise for the Registrar of Co-operative Credit Societies some of weavers' societies, to make it possible for the Registrar to undertake the weaving of *Dosuti* cloth, a demand for which was made by the Munitions Board, Simla. During the course of a week the teacher of the Bankura Weaving School and myself aided by some of my ex-students successfully organised some 13 societies, and Mr. Donovan who visited Bankura shortly after, found it necessary to

Questions and Answers.

form a Union to finance and control these societies. A general meeting was accordingly convened of the leading gentlemen of the town, as many of the local weavers as could be got to attend to consider the proposals of the Registrar, and the possibilities of establishing these societies on a permanent basis.

3. The District Magistrate, Mr. Vas, was appointed President of the Union, and some of the local leading gentlemen, office bearers. The rules for the management of the Union with their bye-laws were formulated, and the Union was registered on the 18th June. The number of the societies was later increased to 20. These societies under the supervision of the Weaving teacher, Babu Sudhir Kumar Bannerjee, whose services were transferred to the Co-operative Department, successfully wove about twenty five thousand yards of *Dosuti* cloth for Government and other bodies, besides undertaking private orders and executing work which the Union was able to procure for them. The Union is working efficiently, and is in a position at present to undertake large orders for the manufacture of cloths.

4. Twenty similar societies were also started at Pabna, but it was not found necessary to organise a Union at that station, as a central bank already existed there, and the Registrar was of opinion that these societies could easily be controlled by the Managing Committee of the Bank. It was found that the Pabna weavers although organised expressly for the weaving of *Dosuti* cloth, could not be utilised for this purpose, as the rate of weaving which the Munitions Board was in a position to offer them was not found sufficiently attractive, and they preferred to carry on their own business, large orders for which they had weaving of *Lunqi* cloths for the Chittagong and East Bengal and Burma markets, and several thousands of these fabrics are being sold to Mahajans weekly at the local *hâts*. Weaving societies could also have been started in the other districts of Bengal, where weaving schools exist, but as some difficulties arose with the Munitions Board, Simla, in the matter of prices, it was found impossible to manufacture Ordnance *Dosuti* cloth at the rates at which Mr. Silver was agreeable to buying the material, and hence the manufacture of Ordnance *Dosuti* cloth has been temporarily abandoned.

5. I also organised a body of some 80 to 100 weavers in the villages some distance away from the town of Bankura on behalf of the Bengal Home Industries Association, and these weavers are still executing the orders for Ordnance *Dosuti* cloth, special yarn for which was purchased. I understand that some 8,000 yards of this material is now ready and it has been woven up to the specifications required by the Ordnance Department. Mr. Silver from time to time has written to say that he is prepared to purchase *Dosuti* cloth which could be utilized for other purposes than the making of tents, but hitherto since no definite order has been placed by him, no work could be given to the societies and in consequence it seems useless to organise fresh bodies of workers, unless sufficient work can be given to them. I would suggest in this connection that I may be permitted to go to Simla to personally discuss this matter with Mr. Silver to obtain from him some definite orders which the weavers of Bengal would welcome, and if they are sufficiently large more weavers' societies could be organised in other districts.

6. In addition to the above, I have been carrying out experiments in the spinning and weaving of Sunn hemp. As regards the spinning of Sunn hemp, some 30 to 40 samples have been hand-spun and mill-spun for Mr. Finlow, and judging from his letters, he seems to be quite well satisfied with the results. Some of the Sunn hemp yarns which was specially prepared from Jubbulpore Sunn hemp fibre and which was extracted without retting, has been found to be a good substitute for flax for the sewing of saddlery, harness and boots. I have conducted experiments at Serampore for the weaving of water proof Sunn hemp canvas with the same fibre, and I am pleased to say that the samples have been much approved of and there is a great demand for it at present. To cope with the demand, two hand loom

Questions and Answers.

weaving factories have been started at Serampore. Experiments have also been conducted at the local Jute Mills for the spinning of Sunn hemp yarns, and I understand that one of these firms has already ordered out special machinery for the purpose. Hose pipes as well as filter cloths and beltings have also been manufactured with this fibre, and I think that at this period if some definite orders were placed with the firms referred to above, the prospects of further development seem certain.

7. Since last year a great demand for woollen cloths and blankets has also arisen, and I have been helping the local weavers of Bankura, Midnapore and Murshidabad to sell their goods more lucratively than before by encouraging some young men I know to go into the districts and to purchase woollen yarns and blankets from the wool workers and to supply them to buyers with whom I have brought them in contact. A woollen factory has also been started at Serampore by Mr. Borrie, who was an Engineer of one of Messrs. Bird & Co.'s Jute mills.

8. Besides the above, inquiries have been received by me from time to time for the manufacture of cotton canvas and Union cloths and I am constituting inquiries and having experiments carried out to ensure a regular supply of them. I have also received inquiries for the manufacture of brass and iron articles, and I have rendered the inquiries as much assistance as I could by bringing them into contact with the artisans who do this work in the villages.

9. As regards the duties I had to perform at the Munitious Board, I may state that I have been entrusted with the placing out of orders of all the textile materials, boots, hats, caps, uniforms, etc., required by the various local indenting bodies, and to inspect and pass the goods before they were despatched. I have also had to reply to numerous enquiries relating to hand spinning, weaving, and to advise the selection of suitable weaving machinery.

10. At my last interview with you, you asked me for an expression of my opinion relating to the more efficient promotion of local industries, and I think I am justified in making the following suggestions from the experience I have gained in these matters.

I am fully convinced that if the local industries of this province are to be improved, a separate department known as the Department of Industries should be created, and that it should have as its head a Director with at least three efficient assistants to deal with the primary industries of this province, namely:—

- (i) An officer who has a good knowledge of hand and power weaving and its allied branches;
- (ii) A chemist conversant with industrial chemistry and capable of conducting researches;
- (iii) A Mechanical Engineer with a sound knowledge of mining.

11. Experience shows that industries cannot be promoted or the artisans efficiently taught unless they are in some way brought under control, and this can best be done by forming them into societies and unions. In this province the work has been entrusted to the Registrar of Co-operative Societies with the result that it has formed an impediment to the development of the local industries, for the simple reason that it has been put under dual control, that is to say, the organisation of the artisans into societies and the matter of financing them has been entrusted to the Registrar of Co-operative Credit Societies, while their industrial education rests with the Education Department. Consequently, it often becomes a difficult matter for officers in charge of the two departments to work in harmony with each other. In provinces where these conditions do not exist the promotion and improvement of industries is considerably an easier matter, as the officer

Questions and Answers.

entrusted with the promotion of industries happens also to be the Registrar of Co-operative Credit Societies. In these circumstances I think that the Director of Industries suggested in my note should also be vested with the powers of a Registrar and may be known as an additional Registrar of Co-operative Industrial Societies.

By the Hon'ble Babu Akhil Chandra Datta:—

37.

Leasing of forests for the extraction of wood-pulp, etc.

(a) What forests, if any, have the Government leased out for the extraction of wood-pulp and for other industrial purposes?

(b) Will the Government be pleased to mention the names of the lessees and the terms of their leases?

Answer by the Hon'ble Mr. McAlpin:—

"(a) (i) A lease of about 126 square miles in the Buxa Forest Division has been granted to Messrs. Davenport and Company of Calcutta, for the extraction of timber and the manufacture of tea-chests and three-ply wood.

(ii) A lease has been granted to one Mr. C. T. Grenon of Calcutta, for the extraction of leaves of "Hantal," bark of "Bhola" and "Dhani grass" from the Sundarbans Forests for paper-making.

(b) The terms of the lease granted to Messrs. Davenport and Company are contained in the agreement executed by them, a copy of which is laid on the library table.

The terms of the lease granted to Mr. Grenon are contained in Revenue Department letter No. 1611-T.R., dated 29th September, 1916 (addressed to the Conservator of Forests), a copy of which is also laid on the library table."

By the Hon'ble Babu Akhil Chandra Datta:—

38.

Scheme for the re-organisation of the Sericultural Department.

What is the scheme now under the consideration of the Government for the re-organisation of the Sericultural Department with the object of improving the silk industry?

Answer by the Hon'ble Mr. McAlpin:—

"Four years ago the Government of India appointed Mr. H. Maxwell-Lefroy to inquire into the conditions of the silk industry in India and to formulate recommendations for the revival of that industry. The recommendations made by Mr. Lefroy are now under the consideration of the Government of India in consultation with the Local Governments. No final scheme for the re-organisation of the Sericultural Department in this Presidency can be drawn up until orders are received on the proposals submitted by this Government in connection with Mr. Lefroy's report."

By the Hon'ble Babu Akhil Chandra Datta:—

39.

Development of Co-operative Societies with industrial objects.

Will the Government be pleased to state what steps, if any, have been taken for the development of Co-operative Societies with industrial objects?

Answer by the Hon'ble Mr. McAlpin:—

"The Hon'ble Member is referred to the Annual Report on the working of the Co-operative Societies in Bengal during the year 1918-19, in particular to paragraphs 1, 4, 27, 28, 40 and 41 thereof, and also to paragraph 7 of the Government Resolution thereon. A copy of the report, together with the Government Resolution, is laid on the library table."

The Calcutta Cruelty to Animals Bill, 1919.

Sir Henry Wheeler.

LEGISLATIVE BUSINESS.

LIST OF BUSINESS—ITEM No. 3.

THE CALCUTTA CRUELTY TO ANIMALS BILL, 1919.

The **Hon'ble Sir Henry Wheeler** presented the Report of the Select Committee on the Calcutta Cruelty to Animals Bill, 1919.

He said :—

“ My Lord, I beg to present the Report of the Select Committee on the Calcutta Cruelty to Animals Bill, 1919.

As Hon'ble Members will see, the report is short and it is also unanimous. We received various interesting criticisms on the Bill, and I think we gave due consideration to all the important matters that were raised, even though the changes made have not been very extensive. I therefore only propose to mention one or two of the more conspicuous points.

It will be noticed that in reference to clause 3 we have departed from the usual practice of Select Committees, which is ordinarily to mention what the Committee has done and not what it has not done. But as there appeared to be some amount of misapprehension as to whether the term “ animal ” did or did not include a bird, unless a bird was specifically mentioned, we have given our own reasons and our authority for not including the word “ bird,” as being not only unnecessary but even to some extent possibly risky, as leading to doubts as to the meaning of the word “ animal ” alone in other Acts.

Another noticeable change is intended to meet a certain amount of criticism that was received with reference to clause 6 and the somewhat analogous clause 11. Various people seemed to think that, while it was not unreasonable to impose a further liability for cruelty of different descriptions on the owner, trader, carrier, contractor, etc., yet it was rather hard to say that a person of that status might be sent to jail for an act of cruelty which might have been committed in his absence and without his knowledge. We have therefore modified the permissible punishment, and have also added a special protection which we took out of the English Act. As the clause is now worded I do not think any owner, etc., who exercises reasonable care has anything to fear.

We have not given a similar protection in the case of clause 7, because we thought that it was up to any one who owns or controls animals to take care that such a disgusting practice as *phuka* does not occur in relation to them. In recognition of a certain amount of opinion to that effect, we have, however, enhanced the punishment awardable under clause 7.

We have made a change in connection with the seizing of loads and the sending of animals to infirmaries in order to meet the view which was expressed in several quarters that it was reasonable that the owner should get a written notice that his load had been seized or his animal sent to an infirmary in order that he could make arrangements for their removal, etc. We have made provision to that effect partly by taking a rule-making power under clause 20, and in clause 23 by making a substantive change in the Bill.

The only other change of importance is perhaps that referred to in clause 26. When I introduced the Bill I foreshadowed the possibility that objection might be raised to the killing of bulls, bullocks and cows for old age. Such an opinion was, in fact, expressed in various Hindu quarters, and we have shown regard to it by providing that no order for the destruction of a bull, bullock or cow shall be made merely because it is unfit for work by reason of old age, the idea being that, following the practice which commends itself to Hindu orthodoxy, the animal should be sent to a pinjrapole.

*The Eastern Frontier Rifles (Bengal Battalion) Bill, 1919. Resolutions.**Sir Henry Wheeler; Babu Akhil Chandra Datta.*

I think, Sir, that these are the most noticeable points among the changes which we have made in the Bill."

LIST OF BUSINESS—ITEM No. 4.**THE EASTERN FRONTIER RIFLES (BENGAL BATTALION) BILL, 1919.**

The **Hon'ble Sir Henry Wheeler** moved that the Eastern Frontier Rifles (Bengal Battalion) Bill, 1919, be referred to a Select Committee consisting of the Hon'ble Mr. Stevenson-Moore, the Hon'ble Mr. Stephenson, the Hon'ble Mr. G. N. Roy, the Hon'ble Babu Siv Narayan Mukherji, the Hon'ble Maulvi Abul Kasem, the Hon'ble Mr. Ashraf Ali Khan Chaudhuri, the Hon'ble Babu Kishori Mohan Chaudhuri and the mover, with instructions to submit their report in time for its presentation in Council at the meeting in February next.

The motion was put and agreed to.

LIST OF BUSINESS—ITEM No. 5.**RESOLUTIONS.**

(Under the rules for the discussion of matters of general public interest.)

The **Hon'ble Babu Akhil Chandra Datta** moved the following resolution :—

This Council recommends to the Governor in Council that the proposal for abolishing the First Year Class of the Maynamati Survey School be dropped and that the said class be retained permanently.

He said :—

"My Lord, what I am asking for is not the establishment of a new school but the retention of one of the two classes of the old existing school. That school was established in 1914 as an experimental measure for teaching land surveying and improvement of its method. The experiment was found successful and the school was established on a permanent basis in 1916, but recently it was rumoured that it is in contemplation to abolish the First Year Class of the School and thereupon a representation was made by the people for the retention of the class; and I understand the Government have been pleased to order that that class would not be abolished at least for another year. What I am praying for in this resolution is that the proposal might be dropped altogether. It is a very useful institution established in a very good place. The site is almost an ideal one for the purpose, situated as it is in a very healthy place, and the school is established on a residential basis and is a very useful institution. I would ask the Government to consider the following facts before any final decision is arrived at. One of the important considerations is that as a result of the abolition of the First Year Class the number of students will decrease by 50 per cent. but there will be no reduction in the cost even by 10 per cent. Then there is another aspect which is also an important one and that is that the present arrangements are of course meant to staff both the classes, and therefore the full capacity of the institution will not be fully utilised if the First Year Class is abolished. Therefore, my Lord, I hope that the proposal may be dropped."

*Resolutions.**The Maharajadhiraja Bahadur of Burdwan ; Babu Akhil Chandra Datta.*The **Hon'ble the Maharajadhiraja Bahadur of Burdwan** said :—

"My Lord, I do not propose to take up the time of the Council for more than a very few minutes. The hon'ble mover of this resolution desires to maintain permanently the First Year Class at the Maynamati Survey School. I may say that it has not yet been finally decided to either abolish or to maintain permanently the First Year Class at the school. We have, for the present, issued orders for the continuance of the class up to September next. Meanwhile, it is proposed to reconsider the whole matter and to come to a decision as to whether this class should be maintained permanently or not, and it is quite clear therefore that the Government have no intention of closing the class until they have re-examined and reviewed the whole position. Moreover, this school being more or less under the Revenue Department, who directly deal with those who pass out of the survey class at Maynamati, that department will also have to consider the matter carefully conjointly with the Education Department. All I can say to the hon'ble mover of the present resolution is that whatever may be the decision arrived at, it will not be done in a hurry or without due consideration. But on the other hand, I cannot at the present moment hold out a definite promise regarding the continuance of this class. Government fully realise the importance of having such a class for the purpose of survey training in the Chittagong Division ; and I can assure the hon'ble gentleman once more that we shall examine the question in all its bearings in due course. I trust that in view of what I have said the hon'ble mover will not press for his resolution."

The **Hon'ble Babu Akhil Chandra Datta** said :—

"In view of the assurance that I have received from the Hon'ble the Maharajadhiraja Bahadur I do not feel justified in pressing the resolution. My only prayer is that, before any final decision is arrived at in favour of the abolition which, I hope, it will never be, the opinion of the public will be invited and considered. I therefore beg, my Lord, with your Excellency's permission, to withdraw the resolution."

The resolution was then, by leave of the President, withdrawn.

LIST OF BUSINESS—ITEM No. 6.The **Hon'ble Babu Akhil Chandra Datta** moved the following resolution :—

"This Council recommends to the Governor in Council that arrangements be made with a view to the payment of the monthly pensions of Government pensioners in the Presidency of Bengal by postal money-order, if they so desire, and that, if necessary, the sanction of the Government of India be obtained in that behalf.

He said :—

"This is a matter of convenience so far as pensions are concerned. We are aware of instances in which the pensioners find it a great hardship to receive their pensions under the existing rules. It sometimes happens that a man has to walk a long distance, or has to incur large expenditure in order to come to the head-quarters of the district, to receive his pension. Sometimes it happens that, for getting a pension of Rs. 10, a man has to spend two or three rupees. There are other disadvantages, but I need not take up the time of the Council over this small matter, for I have every reason to believe that this resolution may possibly find favour with the Government."

*Resolutions.**Sir Henry Wheeler.*

The **Hon'ble Sir Henry Wheeler** said :—

"My Lord, this resolution seems to be the echo of one of a similar character that was moved in the Bombay Council on the 19th September last, and which Local Government then accepted in the sense that they stated that they would bring the method of payment by money-order to the notice of the Government of India as an experiment which was worth trying in the case of pensions up to Rs. 20.

The object of the suggestion, as the Hon'ble Babu Akhil Chandra Datta has said, is to do away with the inconvenience of people having to come, it may be, considerable distances to the offices of payment in order to receive small sums that are due to them as pensions, and it is undeniable that that inconvenience does exist. It is also true that in the majority of cases personal attendance is required. There are a few exceptions in which payment can be made on certificates of various kinds, but in most cases people are required to be present in person. If, as suggested, payment by postal money-order is inaugurated, it is obvious that instead of the pensioner going to receive his pension, the postal peon will come to him, and his convenience will thereby be served. There is, however, a certain amount of risk in that system both to the pensioner and to Government. The peon might not pay the pension to the correct person, though in that event we would probably very soon hear from the pensioner himself, and the fraud would be discovered. The Government again might be cheated by fraudulent representation that the pensioner was alive though he was really dead, and his pension might continue to be taken by somebody else until the deception happened to be found out. These are the risks, though it is possible they are not so great as might be apprehended, especially in the case of small pensions; no system is entirely free from risk, and in the case of small pensions we should not stand to lose very much even though frauds occurred here and there. But it is relevant to note that this system of payment by postal money-order has been tried. It was tried in Bombay in the case of certain military pensioners, and it was tried on a large scale in the case of family allotments from non-combatants which were paid by postal money-order through the Dadar office. Two curious points were then brought to notice. In the first place there were many complaints of delay in payment. People complained that they were accustomed to get their pensions on the 1st or 2nd of every month, and when delays occurred under the new system they were put to inconvenience. On the other hand, there might be *bonâ fide* excuses on the part of the postal peons, by reason of inability to find the payee and the like. Another feature was that in the majority of cases advantage was not taken of this concession. This might have been for the reason already mentioned, but the fact remains that quite a number of people preferred to adhere to the old system and to draw their money in person. So it does not follow that this experiment would be a panacea for all evils.

There is another possibility which is worthy of consideration and which has been brought to our notice by the Accountant-General, Bengal. It is that we might, instead of sending money by postal peons under the money-order system, delegate at least a portion of this work of paying pensions to post-offices. Obviously, everywhere, for one Government treasury, there are half-a-dozen post offices, and instead of having to come long distances pensioners would then have shorter distances to travel. This possibility affects the Postal Department and they would have to be consulted. We do not know whether the postal authorities will be in favour of taking up what may prove to be an appreciable addition to their work.

While, therefore, willing to make inquiries, we would prefer that the resolution should be put into a more open form than that in which it has been drawn up, that is to say, that besides the proposal of payment by money-order the possibility of delegating part of the work to post offices should not be

Resolutions.

Babu Akhil Chandra Datta.

excluded. If the Hon'ble Member agrees to put the resolution in the following form, I shall be glad to accept it on behalf of Government :—

“This Council recommends to the Governor in Council that the possibility be examined of improving the present system of disbursing pensions, either by the introduction of a system of money-order payments, or in such other way as will ensure that the pensioners are not required to attend monthly at treasury offices in order to draw their pensions, unless they wish to do so.”

The **Hon'ble Babu Akhil Chandra Datta** said :—

“I am quite prepared to accept the modified form.”

The resolution was then put in the following amended form and agreed to :—

“This Council recommends to the Governor in Council that the possibility be examined of improving the present system of disbursing pensions, either by the introduction of a system of money-order payments, or in such other way as will ensure that the pensioners are not required to attend monthly at treasury offices in order to draw their pensions, unless they wish to do so.”

LIST OF BUSINESS—ITEM No. 7.

The **Hon'ble Babu Akhil Chandra Datta** moved the following resolution :—

This Council recommends to the Governor in Council that steps be taken to improve the pay and prospects of the Assistant Surgeons in the Presidency.

He said :—

“My Lord, this is a question on which I do not feel justified in taking up the time of this Council in view of the answers that were given by the Government at the last meeting of the Council in answer to a question by the Hon'ble Rai Debender Chunder Ghose Bahadur. I find that the petitions of the Civil Assistant Surgeons asking for an improvement in their pay and prospects have been forwarded to the Government by the Surgeon-General with recommendations and are now under consideration. We also find from these answers that if there was any delay it was due to the recommendations of the Medical Services Committee. We have also received assurances that there is not likely to be much delay on the part of this Government in dealing with these petitions, so in view of all these it is hardly necessary for me to support my resolution with any lengthy observation. All that I am anxious to point out in this connection is this—that the members of this Service and the members of the Provincial Services, both Judicial and Executive, are men almost equally qualified, and if there is any conceivable reason for the remarkable difference of pay between the pay and prospects of Assistant Surgeons on the one hand and that of Deputy Magistrates and Munsifs on the other, the reason was that Civil Assistant Surgeons enjoy some private practice yielding some additional income to them. But, my Lord, it is now an admitted fact and Government have also recognised that the private practice of these officers has diminished very considerably owing to the increased number of private practitioners, equally qualified, now practising, and their income is now confined to the pay they receive from Government. This is a fact which should be taken into consideration in arriving at a final decision on the question of the pay and prospects of these Assistant Surgeons. In this connection I would like to explain my position by giving one concrete illustration. Let us suppose there are two boys reading for the B. A.

*Resolutions.**Sir Henry Wheeler.*

examination; both pass the examination, and it so happens that one is admitted to the Provincial Service on an initial pay of Rs. 250 while his equally qualified brother who has chosen the medical profession is admitted into the Medical College for a long and expensive course of five or six years. After passing the final medical examination when he obtains an appointment he is to begin on Rs. 100 only. That shows that the initial pay in the latter service is very unsatisfactory, but as I have already submitted before I would not like to labour this point because it is admitted by Government that their pay is insufficient, and Government have already moved in the matter. My resolution is a ~~very~~ elastic one; I do not ask for any particular increment; all that I ask is that steps should be taken to increase their pay and prospects and that the increment granted should be appreciable and substantial. That is all I need say in support of my resolution."

The **Hon'ble Sir Henry Wheeler** said :—

My Lord, Assistant Surgeons are a body of men who have never been backward in preferring their grievances, and the result is that in recent years a considerable amount of attention has been given to them, and their pay has been enhanced on more than one occasion. I do not, therefore, accept the picture of them as a ground-down and sweated body of men, and while it is quite proper that the State should pay for their services a fair living wage, it must also be remembered that with the yearly increase in the number of candidates, there is no difficulty in filling our appointments, and we could not afford to, nor would it be right that we should, pay more than the fair market rate. The arguments to which the Hon'ble Member has resorted of comparison with other services are further apt to be extremely misleading and dangerous. It sounds simple to say that a Deputy Magistrate or a Munsiff gets so much and therefore that the Assistant Surgeon should get so much as both are equally qualified; or that one brother should not be left to choose one career and then find himself worse off than the other brother who has chosen another; but the argument really carries little conviction. It is probably true of every family of brothers that one adopts one line of life and another chooses a different line, and when they reach a ripe old age they may find that one has succeeded to a greater extent than the other, but that is largely a matter of luck and temperament and is not the fault of Government, while supposed analogies between various careers may take us far afield.

As illustrating what I have said regarding the improvements that have been effected in the pay of Assistant Surgeons in recent years, I may mention that, to go no further back than 1898, we then approved of four grades of Rs. 100, 150, 200, 300, and for Assistant Surgeons promoted to Civil Surgeoncies Rs. 350—500. Again in 1912 we introduced a time-scale rising from Rs. 100 to 300, with 10 per cent. of the cadre in two selection grades of Rs. 325 and 350. Again in 1915 we raised the pay of the Assistant Surgeons promoted to Civil Surgeoncies to Rs. 400—600. So that there have been three instances of enhancements between 1898 and 1915. The Public Services Commission took up the same question, and recommended a slightly improved time-scale and a slight improvement in the pay of those promoted to Civil Surgeonships. The matter was again examined last cold weather by the Medical Services Committee, and on the basis of the recommendations of the Public Services Commission and of that Committee we have submitted proposals which are now before the Government of India, again improving in a fair degree the prospects of this Service. Therefore, at the present moment, while we accept the resolution as an indication that the Council may wish to endorse our action in recommending an enhancement, yet it must be clearly understood that we do not propose to do anything more than we have already done, and we shall merely await the orders of the Government of India on the proposals which have been submitted to them."

Resolutions. Adjournment.

Babu Akhil Chandra Datta; Sir Henry Wheeler.

The **Hon'ble Babu Akhil Chandra Datta** said :—

“My Lord, this is a matter on which I should like to avoid any controversy in view of the assurance that we have received that the matter is under the consideration of Government. I would like to say something in reply to some of the Hon'ble Member's observations with which I do not find myself in agreement but I refrain from doing so. I again repeat my prayer that the increments that are proposed may be appreciable and not merely nominal.”

The resolution was then put and agreed to.

LIST OF BUSINESS—ITEM No. 8.

The **Hon'ble Babu Akhil Chandra Datta** moved the following resolution :—

This Council recommends to the Governor in Council that steps be taken to improve the pay and prospects of the compounders attached to Government hospitals and dispensaries in the Presidency.

He said :—

“My Lord, since giving notice of this resolution I understand that orders have already been passed granting some increments to the compounders ; in some cases it is from Rs. 20 to 30 with an annual increment of Re. 1 and in others the maximum has been raised to Rs. 35. In view of this fact all I would like to do is to express the gratitude of the compounders and of the public to the Government for this act of mercy.”

The **Hon'ble Sir Henry Wheeler** said :—

“My Lord, it is true that at the time when notice was first given of this resolution we had before us proposals from the Surgeon-General for raising the pay of compounders. I held them up in the expectation that the resolution would be moved on the occasion of our last meeting, but as it was then postponed, I did not think it was fair that the compounders should suffer owing to the absence of the Hon'ble Member, and accordingly sanctioned the enhancement. There is little reason, therefore, for moving a resolution on the subject now.

The motion was then, by leave of the President, withdrawn.

ADJOURNMENT.

The Council was then adjourned to Tuesday the 3rd February, 1920, at Government House, Calcutta.

J. F. GRAHAM.

*Secy. to the Govt. of Bengal and
Secy. to the Bengal Legislative Council.*

CALCUTTA ;

The 23rd December, 1919.

The Calcutta Gazette.

PUBLISHED BY AUTHORITY.

WEDNESDAY, SEPTEMBER 24, 1919.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART V.

Acts of the Indian Legislative Council assented to by the Governor General.

GOVERNMENT OF INDIA. LEGISLATIVE DEPARTMENT.

The following Act of the Indian Legislative Council received the assent of the Governor General on the 3rd day of September, 1919, and is hereby promulgated for general information:—

ACT NO. XII OF 1919.

An Act to consolidate and amend the law regulating the importation, possession and sale of poisons throughout British India.

WHEREAS it is expedient to consolidate and amend the law regulating the importation, possession and sale of poisons throughout British India; It is hereby enacted as follows:—

1. (1) This Act may be called the Poisons Act, 1919.
Short title and extent.

(2) It extends to the whole of British India, including British Baluchistan and the Sonthal Parganas.

2. (1) Subject to the control of the Governor General in Council, the Local Government may by rule regulate within the whole or any part of the territories under its administration the possession for sale and the sale, whether wholesale or retail, of any specified poison.
Power of the Local Government to regulate possession for sale and sale of any poison.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for—

- (a) the grant of licenses to possess any specified poison for sale, wholesale or retail, and the fixing of the fee (if any) to be charged for such licenses;
- (b) the classes of persons to whom alone such licenses may be granted;
- (c) the classes of persons to whom alone any such poison may be sold;
- (d) the maximum quantity of any such poison which may be sold to any one person;
- (e) the maintenance by vendors of any such poison of registers of sales, the particulars to be entered in such registers, and the inspection of the same;
- (f) the safe custody of such poisons and the labelling of the vessels, packages or coverings in which any such poison is sold or possessed for sale; and
- (g) the inspection and examination of any such poison when possessed for sale by any such vendor.

3. The Governor General in Council may, by notification in the Gazette of India, prohibit except under and in accordance with the conditions of a license the importation into British India of any specified poison, and may by rule regulate the grant of licenses.
Power to prohibit importation into British India of any poison except under license.

4. (1) The Local Government, with the previous sanction of the Governor General in Council, may by rule regulate the possession of any specified poison in any local area in which the use of such poison for the purpose of committing murder or mischief by poisoning cattle appears to it to be of such frequent occurrence as to render restrictions on the possession thereof desirable.

(2) In making any rule under sub-section (1), the Local Government may direct that any breach thereof shall be punishable with imprisonment for a term which may extend to one year, or with fine which may extend to one thousand rupees, or with both, together with confiscation of the poison in respect of which the breach has been committed, and of the vessels, packages or coverings in which the same is found.

5. Any substance specified as a poison in a rule made or notification issued under this Act shall be deemed to be a poison for the purposes of this Act.

6. (1) Whoever—
Penalty for unlawful importation, etc.

(a) commits a breach of any rule made under section 2, or

(b) imports into British India without a license any poison the importation of which is for the time being restricted under section 3, or

(c) breaks any condition of a license for the importation of any poison granted to him under section 3,

shall be punishable,—

(i) on a first conviction, with imprisonment for a term which may extend to three months, or with fine which may extend to five hundred rupees, or with both and

(ii) on a second or subsequent conviction, with imprisonment for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both.

(2) Any poison in respect of which an offence has been committed under this section, together with the vessels, packages or coverings in which the same is found, shall be liable to confiscation.

7. (1) The District Magistrate, the Sub-divisional Magistrate and, in a Presidency-town, the Commissioner of Police, may issue a warrant for the search

of any place in which he has reason to believe or to suspect that any poison is possessed or sold in contravention of this Act or any rule thereunder, or that any poison liable to confiscation under this Act is kept or concealed.

(2) The person to whom the warrant is directed may enter and search the place in accordance therewith, and the provisions of the Code of Criminal Procedure, 1898, relating to search-warrants shall, as far as may be, be deemed to apply to the execution of the warrant.

8. (1) In addition to any other power to make rules hereinbefore conferred, the Governor General in Council, or, subject to the control of the Governor General in Council, the Local Government, may make rules generally to carry out the purposes and objects of this Act.

(2) Every power to make rules conferred by this Act shall be subject to the condition of the rule being made after previous publication.

(3) All rules made by the Governor General in Council or by the Local Government under this Act shall be published in the Gazette of India or the local official Gazette, as the case may be, and on such publication shall have effect as if enacted in this Act.

9. (1) Nothing in this Act or in any license granted or rule made thereunder shall extend to, or interfere with, anything done in good faith in the exercise of his profession as such by a medical or veterinary practitioner.

(2) Notwithstanding anything hereinbefore contained, the Local Government may in its discretion by general or special order declare that all or any of the provisions of this Act shall be deemed not to apply to any article or class of articles of commerce specified in such order, or to any poison or class of poisons used for any purpose so specified.

(3) The authority on which any power to make rules under this Act is conferred may, by general or special order, either wholly or partially—

(a) exempt from the operation of any such rules, or

(b) exclude from the scope of the exemption provided by sub-section (1),

any person or class of persons either generally or in respect of any poisons specified in the order.

10. The Poisons Act, 1904, is hereby repealed.
Repeal of Act I of 1904.

H. M. SMITH,

Offg. Secretary to the Government of India.

The Calcutta Gazette.

PUBLISHED BY AUTHORITY.

WEDNESDAY, OCTOBER 8, 1919.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART V.

Acts of the Indian Legislative Council assented to by the Governor General.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

The following Act of the Indian Legislative Council received the assent of the Governor General on the 17th September, 1919, and is hereby promulgated for general information:—

ACT No. XIII OF 1919.

An Act further to amend the Sea Customs Act, 1878.

WHEREAS it is expedient further to amend the Sea Customs Act, 1878; It is hereby enacted as follows:—

1. This Act may be called the Sea Customs (Amendment) Act, 1919.
Short title.

2. Section 195 of the Sea Customs Act, 1878, VIII of 1878.

Amendment of section 195 of Act VIII of 1878. shall be re-numbered section 195 (1), and to the same section the following sub-section shall be added, namely:—

“(2) In the case of goods which consist of drugs or articles intended for consumption as food, and in respect of which the taking of samples for the purposes of this sub-section may have been authorised by general or special order of the Local Government, the Customs-collector may also in like circumstances take samples thereof for submission to, and examination by, such officer of Government or of a local authority as may be specified in such order. The real value of all such samples shall be paid to the owner by the Customs-collector.”

H. M. SMITH,

Offg. Secretary to the Government of India.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

The following Act of the Indian Legislative Council received the assent of the Governor General on the 17th September, 1919, and is hereby promulgated for general information:—

ACT No. XIV OF 1919.

An Act further to amend the Provident Funds Act, 1897.

WHEREAS it is expedient further to amend the IX of 1897. Provident Funds Act, 1897; It is hereby enacted

as follows:—

1. This Act may be called the Provident Funds (Amendment) Act, 1919.
Short title.

2. For clause (2) of section 2 of the Provident Funds Act, 1897, the following Amendment of section 2 of Act IX of 1897. shall be substituted, namely:—

“(2) ‘Government Provident Fund’ means a Provident Fund constituted by the authority of the Government for any class or classes of its employees or for teachers in educational institutions.”

H. M. SMITH,

Offg. Secretary to the Government of India.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

The following Act of the Indian Legislative Council received the assent of the Governor General on the 17th September, 1919, and is hereby promulgated for general information :—

ACT No. XV OF 1919.

An Act to declare and prescribe the limits of the ordinary original civil jurisdiction of the High Court of Judicature at Fort William in Bengal.

WHEREAS clause 11 of the Letters Patent for the High Court of Judicature at Fort William in Bengal, dated the 28th December, 1865, provides that the said High Court shall have and exercise ordinary original civil jurisdiction within such local limits as may from time to time be declared and prescribed by any law made by competent legislative authority for India ;

AND WHEREAS it is expedient so to declare and prescribe the local limits of the ordinary original civil jurisdiction of the said High Court ;

It is hereby enacted as follows :—

1. This Act may be called the Calcutta High Court (Jurisdictional Limits) Act, 1919.
2. The ordinary original civil jurisdiction of the High Court of Judicature at Fort William in Bengal shall be exercised within the limits set out in the Schedule :

Provided that nothing in this Act shall affect any suit or other legal proceeding pending in any Court at the date of the commencement of this Act.

THE SCHEDULE.

(See section 2.)

1. The limits within which the ordinary original civil jurisdiction of the High Court shall be exercised are as follows :—

North.—A line commencing on the western side of the river Hooghly at a point where the straight line joining reference pillar No. I (in a compound on the river side of the Ghusrri Cotton Mill, Howrah) and reference pillar No. II (near the south-western end of Chitpur Toll Bridge) meets the western water-line of the river Hooghly, and thence along the said line to the point where it meets the eastern water-line of the river Hooghly near the south bank of the opening of Circular Canal ; thence along the water-line of the south bank of Circular Canal passing under the Chitpur Toll Bridge, the Chitpur or Baghbazar Bridge to boundary pillar A on the eastern side of the southern pile of Barrackpore Bridge.

East.—A line commencing from the said boundary pillar A following the eastern edge of the steps of the bridge to a point near the south-eastern corner of the immediate approach to the bridge marked by reference pillar III, which is on the boundary ; thence by a straight line to boundary pillar B on the south-eastern corner of the junction

of Cornwallis Street and Galif Street (now marked with a Public Works Department stone) ; thence along the eastern side and the eastern side of the eastern pavement of Cornwallis Street in a series of regular links joining points marked by posts 1-3 to boundary pillar C at the north corner of the junction of Shambazar Street with Cornwallis Street ; thence by a straight line to boundary pillar D on the solid south corner of the said junction ; thence in an approximately straight line along the solid eastern side of Upper Circular Road marked by posts 4-9 ; thence eastward following the corner round to boundary pillar E on the north corner of the junction of the unnamed road (which runs into Jadu Nath Mitra Lane) with Upper Circular Road ; and thence by a straight line to boundary pillar F at the solid south corner of the junction of Jadu Nath Mitra Lane with Upper Circular Road ; thence by posts 10-13 to boundary pillar G on the solid south corner of the junction of Ultadingi Road with Upper Circular Road ; thence along the solid south side of Ultadingi Road in a series of continuous and approximately straight lines joining points marked by posts 14-16 to boundary pillar H at the solid western corner of the junction of Ultadingi Road and Ganribere Lane ; thence by the solid western side of Ganribere Lane marked by posts 17-21 ; thence by a straight line crossing the road diagonally to boundary pillar I on the solid south-eastern corner of the junction of Ganribere Lane and Ultadingi Junction Lane ; thence along the solid eastern side of Ultadingi Junction Lane marked by posts 22-24 to boundary pillar J on the solid eastern corner of the junction of Ultadingi Junction Lane with Halsibagan Road ; thence by a straight line to post 25 at the solid western corner of the said junction ; thence along the solid north side of Halsibagan Road marked by post 26 to boundary pillar K on the north side of Halsibagan Road directly opposite the solid eastern side of Upper Circular Road south of it ; thence by a straight line to post 27 at the solid south corner of the junction of Halsibagan Road with Upper Circular Road ; thence by the solid eastern side of Upper Circular Road marked by posts 28-34 to post 35 ; thence turning east to boundary pillar L on the north side of Maniktola Road ; thence by a straight line to post 36 at the south corner of the junction of Maniktola Road with Upper Circular Road at the north-western corner of the garden of Kali Pada Barik ; thence along the eastern side of the lane on the eastern side of the raised platform road and marked by posts 37-49 to boundary pillar M at the solid north corner of the junction of Gas Street and Upper Circular Road ; thence by a straight line to boundary pillar N at the solid south corner of the said junction ; thence keeping again to the eastern side of the lane on the eastern side of the raised platform road along a line marked by posts 50-61 excluding the recently made Ladies' Park to boundary pillar O near the north pillar of the north entrance to North Station, Sealdah ; thence by a straight line to boundary pillar P at the south corner of that entrance ; thence by the comparatively straight lines from pillar to pillar connecting boundary pillars P, Q, R, S, and T adjacent to the pillars forming the corners of the various approaches to Sealdah Station ; thence along the solid eastern side of Lower Circular Road marked by post 62-64 to pillar 65 ; thence turning west to

boundary pillar U at the north-western corner of the out-patients' department of the Campbell Hospital; thence by a straight line marked by posts 66-68 to boundary pillar V on the corner of the platform to the right of the north entrance to the Calcutta Corporation Central Stores; thence by post 69 turning east to post 70; thence by posts 71-76, boundary pillars W and X at the solid corners of the southern junction of Police Hospital Road with Lower Circular Road; thence by posts 77-80, to boundary pillars Y and Z on the solid corners of the junction of Beniapukur Lane with Lower Circular Road, by posts 81-86 to boundary pillars A₁ and B₁, at the solid corners of the junction of Nonapukur or Bijli Road and Lower Circular Road, posts 87, 88, to boundary pillar C₁, near the south-western corner of the Circular Road burial ground; thence by a straight line to boundary pillar D₁, on the other side of the tramway lines; thence post 89 eastward to post 90; thence to boundary pillars E₁, and F₁, at the solid corners of the junction of Karaya Bazar Road and Lower Circular Road, posts 91, 92 to boundary pillar G₁, opposite to Theatre Road, posts 93, 94, to boundary pillar H₁, a few feet south of the point directly opposite the junction of Auckland Place and Lower Circular Road, and following the curve of the road by posts 95 and 96 to reference pillar IV (which is on the boundary) on the eastern side of the junction of Beck Bagan Lane with Lower Circular Road.

South.—A line commencing from the said reference pillar IV in a straight line to boundary pillar I₁, on the western corner of the junction of Beck Bagan Lane with Lower Circular Road; thence along the solid south side of Lower Circular Road to boundary pillars J₁ and K₁ at the solid corners of the junction of Ballyganj Circular Road and Lower Circular Road; thence by the solid south side of Lower Circular Road marked by posts 97, 98, boundary pillars L₁, M₁ at the solid corners of the junction of Lausdowne Road with Lower Circular Road, post 99 southward to post 100 westward to post 101, northward to post 102 and westward to post 103, boundary pillars N₁ and O₁ at the solid corners of the junction of Woodburn Road with Lower Circular Road, posts 104, 105, boundary pillars P₁ and Q₁ at the solid corners of the junction of Lee Road with Lower Circular Road; thence by the straight line links but broken boundary line formed by posts 106-113, to boundary pillar R₁, on the south-eastern corner of the junction of Chowringhee with Lower Circular Road; thence by an oblique straight line to boundary pillar S₁, on the south-western corner of the said junction (near a stone marked F.W.B-26); thence by a line representing the present limits of the holdings on the south of Circular Road and marked by posts 114-116, boundary pillars T₁ and U₁ at the solid corners of the junction of Haris Chandra Mukharji Road and Lower Circular Road, posts 117-121; thence to boundary pillar V₁, near the north corner of the junction of Bhowanipore Road and Lower Circular Road; thence following the curve of the corner and the eastern side of Bhowanipore Road and the surplus lands attached thereto by a series of straight line links joining points marked by posts 122-124, boundary pillars W₁, and X₁, at the junction of Shambhunath Pandit Street and Bhowanipore Road, posts 125-128 turning eastward to boundary

pillar Y₁ on the north side of Sankaripara Road, posts 129, 130 to boundary pillars Z₁ and A₂ across the entrance of Ketrapati Road into Bhowanipore Road; thence by posts 131, 132 to boundary pillar B₂ on the north-eastern side of Alipore Bridge; thence along a straight line joining the said boundary pillar B₂ with subsidiary reference pillar VII on the south-eastern side of the said bridge to a point where that straight line meets the water-line of Tolly's Nala; thence along the water-line of Tolly's Nala to the north-eastern corner of the District Magistrate's compound, near which is boundary pillar C₂; thence along the irregular northern boundary of the Magistrate's compound marked by posts 133-141 to boundary pillar D₂ at the south corner of the entrance to the Civil Surgeon's house from Thackeray Road; thence southward along the western boundary of the Magistrate's compound by posts 142-145 and along the southern boundary of that compound marked by posts 147, 148 to boundary pillar E₂ on the bank of Tolly's Nala; thence continuing the straight line from post 148 to boundary pillar E₂ till it meets the water-line of Tolly's Nala; thence along the water-line of Tolly's Nala to a point in a direct line with the north side of the masonry drain running outside the Jail Garden near which is boundary pillar F₂; thence along the north side of the said drain in a straight line across Motee Jheel to post 149 against the boundary of the compound of the Magistrate's Court; thence northward along that boundary to post 150 and westward to post 151 and northward again along the boundary of the Army Clothing Agency to post 152; thence westward on the south side of the lane to boundary pillar G₂ at the north-western corner of the Police Hospital compound; thence along the wall of the Alipore Central Jail facing Belvedere Road and marked by pillars 153-157 to the north-western corner of the junction of Belvedere Road and Jail Lane following the corner eastward to post 158 and continuing along the south side of Jail Lane to post 159; thence by a straight line to boundary pillar H₂ at the acute corner of the junction of Reformatory Street with Jail Lane; thence to boundary pillar I₂ on the north-western side of Alipore Bridge; thence to boundary pillar J₂ on the north-eastern side of the said bridge; thence by the solid south-western and western side of Bhowanipore Road marked by posts 160-167; thence following the western corner of the junction of Bhowanipore Road and Lower Circular Road to boundary pillar K₂; thence along the solid south side of Lower Circular Road following the sweep of the railings and marked by posts 168-172 to boundary pillar L₂ on Lower Circular Road and east of its junction with Belvedere Road; thence following the natural bends of the corner marked by posts 173 and 174 to boundary pillar M₂ on the eastern side of Belvedere Road; thence along the eastern side of Belvedere Road now indicated by wooden railings and marked by post 175 to boundary pillar N₂ on the north-eastern side of Zaerut Bridge; thence along the railings of the footpath on the eastern side of the bridge to boundary pillar O₂ near its south-eastern end; thence along a bent line following the shape of the bridge and marked by posts 176, 177 to post 178 on the eastern side of the south extremity of the immediate approach to the bridge; thence by a straight line to boundary pillar P₂ on the

western side of the said extremity ; thence turning north along the railings of the footpath on the western side of the bridge ; till it meets the water-line underneath the bridge ; thence along the water-line of the south or Ali-pore bank of Tolly's Nala trending northwards under Hastings Bridge, to a point where a straight line joining reference pillar V (near the south-western end of Hastings Bridge), to reference pillar VI (on the Howrah side of the river in a line with the northern wall of the Bengal-Nagpur Railway Goods Yard) meets the water-line of the south bank of the bend of the Hooghly River, near the western side of the opening of Tolly's Nala ; thence continuing the said straight line till that said straight line meets the water-line of the Howrah side of the river Hooghly.

West.—A line commencing from the point last defined along the water-line of the Howrah side of the River Hooghly to the western extremity of the northern boundary.

2. (a) When the expression "water-line" is used in this Schedule all *pucca ghâts* and other objects permanently attached to the bank and in contact with the water shall be deemed to appertain to the area to which the land on that bank appertains, and the water in contact with such objects shall be deemed to appertain to the other side of the boundary. In the places in the Schedule where the boundary is thus described the boundary line shall be the moving edge of the water wherever it may be at any time. In the case of bridges, however, the supporting pile in contact with the bank only shall be deemed to be permanently attached to the bank and the boundary line across the bridge to be immediately above the water-line so described.

(b) The expression "solid side" or "solid corner" means the line or spot marked out by solid objects, such as a *pucca* wall or the face of a house, the wayside lands and pavements thus being all included in the adjacent road, street or lane.

H. M. SMITH,

Offg. Secretary to the Government of India.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

The following Act of the Indian Legislative Council received the assent of the Governor General on the 17th September, 1919, and is hereby promulgated for general information :—

ACT NO. XVI OF 1919.

An Act further to amend the Indian Naturalization Act, 1852.

WHEREAS it is expedient further to amend the XXX of 1852. Indian Naturalization Act, 1852; It is hereby enacted as follows :—

1. This Act may be called the Indian Naturalization (Amendment) Act, 1919.
Short title.

2. (1) Section 6 of the Indian Naturalization Act, 1852 (hereinafter referred to as the said Act), is hereby repealed.
XXX of 1852. Repeal of section 6 of Act XXX of 1852 and insertion of new sections 11 A. and 11 B.

(2) After section 11 of the said Act, the following sections shall be inserted, namely :—

“11 A. (1) Where the Government of any part of the said territories in which a person to whom a certificate of naturalization has been issued under this Act for the time being resides (hereinafter called ‘the Local Government’) are satisfied that the certificate has been obtained by false representation or fraud or by concealment of material circumstances, or that the person to whom the certificate has been issued has shown himself by act or speech to be disaffected or disloyal to His Majesty, the Local Government shall by order in writing revoke the certificate.

(2) Without prejudice to the foregoing provisions, the Local Government shall by order in writing revoke a certificate of naturalization in any case in which they are satisfied that the person to whom a certificate was issued—

(a) has during any war in which His Majesty is engaged unlawfully traded or communicated with the enemy or with the subject of an enemy state or been engaged in or associated with any business which is to his knowledge carried on in such a manner as to assist the enemy in such war; or

(b) has within five years of the date of the issue of the certificate been sentenced by any Court in His Majesty's dominions to transportation or penal servitude or to imprisonment for a term of not less than twelve months, or to pay a fine of not less than one thousand rupees; or

(c) was not of good character at the date of the issue of the certificate; or

(d) has since the date of the issue of the certificate been for a period of not less than seven years ordinarily resident out of His Majesty's dominions otherwise than as a representative of a British subject, firm or company carrying on business, or an institution established, in

His Majesty's dominions or in the service of the Crown, and has not maintained substantial connection with His Majesty's dominions; or

(e) remains according to the law of a state at war with His Majesty a subject of that state;

and that (in any case) the continuance of the certificate is not conducive to the public good.

(3) Notwithstanding anything contained in sub-sections (1) and (2), no Local Government shall revoke a certificate of naturalization issued by another Government without the concurrence of that Government.

(4) The Local Government may, if they think fit, before making an order under this section, refer the case for such inquiry as is hereinafter specified, and in any case to which sub-section (1) or clause (a), (c) or (e) of sub-section (2) applies, the Local Government shall, by notice given to, or sent by post to the last known address of, the holder of the certificate, give him an opportunity of claiming that the case be referred for such inquiry, and if the holder so claims in accordance with the notice, the Local Government shall refer the case for inquiry accordingly.

(5)(a) An inquiry under this section shall be held by such person or persons and in such manner as the Local Government may direct in each case.

(b) Persons appointed under clause (a) of this sub-section shall be deemed to be public servants within the meaning of the Indian Penal Code, XLV of 1861, and shall, for the purposes of such inquiry, have the same powers as are vested in a Court under the Code of Civil Procedure, 1908, when trying a suit, V of 1908, in respect of the following matters :—

(i) enforcing the attendance of any person and examining him on oath;

(ii) compelling the production of documents; and

(iii) issuing commissions for the examination of witnesses;

and any proceeding under this sub-section shall be deemed to be a ‘judicial proceeding’ within the meaning of sections 193 and 228 of the Indian Penal Code, XLV of 1861.

(6) Where a certificate of naturalization has been revoked under this section, the revocation shall have effect from such date as may be directed by the Local Government, and thereupon the certificate shall be given up and cancelled, and any person refusing or neglecting to give up his certificate shall be punishable with fine which may extend to one thousand rupees.

11 B. (1) Where a certificate of naturalization is revoked, the former holder thereof shall thenceforth be deemed to be an alien and a subject of the state to which he belonged at the time the certificate was issued.

(2) Where a certificate of naturalization is revoked, the Local Government may by order in writing direct that the wife and minor children (or any of them) of the person whose certificate is revoked shall thenceforth be deemed to be aliens; but where no such direction is made, the nationality

of the wife and minor children of the person whose certificate is revoked shall not be affected by the revocation :

Provided that—

(a) it shall be lawful for the wife of any such person within six months after the date of the order of revocation to make a declaration of alienage, and she and any minor children of her husband and herself shall thenceforth be deemed to be aliens; and

(b) in the case of a wife who was at birth a natural-born subject of His Majesty, no such order as aforesaid shall be made unless the Local Government is satisfied that if she had held a certificate of naturalization in her own right the certificate could properly have been revoked under section 11 A, and the provisions of that section as

to referring cases for inquiry shall apply to the making of any such order as they apply to the revocation of a certificate."

3. In section 12 of the said Act between the word "shall" and the words "be deemed" the following shall be inserted, namely :—

"save in so far as a different intention is expressed."

4. For the words "Her Majesty" wherever they occur in the said Act the words "His Majesty" shall be substituted.

Amendment of section 12 of Act XXX of 1852.
Substitution of "His Majesty" for "Her Majesty" in Act XXX of 1852.

H. M. SMITH,

Offg. Secretary to the Government of India.

GOVERNMENT OF INDIA.
LEGISLATIVE DEPARTMENT.

The following Act of the Indian Legislative Council received the assent of the Governor General on the 17th September, 1919, and is hereby promulgated for general information :—

ACT No. XVII OF 1919.

An Act further to amend the Land Acquisition Act, 1894.

WHEREAS it is expedient further to amend the Land Acquisition Act, 1894; it is hereby

enacted as follows :—

1. This Act may be called the Land Acquisition (Amendment) Act, 1919.
Short title.
2. To clause (e) of section 3 of the Land Acquisition Act, 1894, the following shall be added, namely:—"and includes a society registered under the Societies Registration Act, 1860, and a registered society within the meaning of the Co-operative Societies Act, 1912."

H. M. SMITH,

Offg. Secretary to the Government of India.

**GOVERNMENT OF INDIA.
LEGISLATIVE DEPARTMENT.**

The following Act of the Indian Legislative Council received the assent of the Governor General on the 17th September, 1919, and is hereby promulgated for general information :—

ACT NO. XVIII OF 1919.

An Act to amend certain enactments and to repeal certain other enactments.

WHEREAS it is expedient that certain formal amendments should be made in the enactments specified in the First Schedule;

AND WHEREAS it is also expedient that certain enactments specified in the Second Schedule which are spent, or have ceased to be in force otherwise than by express specific repeal, or have by lapse of time or otherwise become unnecessary, should be expressly and specifically repealed;

It is hereby enacted as follows :—

1. This Act may be called the Repealing and Amending Act, 1919.
Short title.
2. The enactments specified in the First Schedule are hereby amended
Amendment of cer- to the extent and in the
tain enactments. manner mentioned in the
fourth column thereof.

3. The enactments specified in the Second Schedule are hereby repealed
Repeal of certain to the extent mentioned in
enactments. the fourth column thereof.

4. The repeal by this Act of any enactment shall not affect any Act or Regulation in which such
Savings. enactment has been applied, incorporated or re-
ferred to;

and this Act shall not affect the validity, invalidity, effect or consequences of anything already done or suffered, or any right, title, obligation or liability already acquired, accrued, or incurred, or any remedy or proceeding in respect thereof, or any release or discharge of or from any debt, penalty, obligation, liability, claim or demand, or any indemnity already granted, or the proof of any past act or thing;

nor shall this Act affect any principle or rule of law, or established jurisdiction, form or course of pleading, practice or procedure, or existing usage, custom, privilege, restriction, exemption, office or appointment, notwithstanding that the same respectively may have been in any manner affirmed, recognized or derived by, in or from any enactment hereby repealed;

nor shall the repeal by this Act of any enactment revive or restore any jurisdiction, office, custom, liability, right, title, privilege, restriction, exemption, usage, practice, procedure or other matter or thing not now existing or in force.

THE FIRST SCHEDULE.

AMENDMENTS.

(See section 2.)

1	2	3	4
Year.	No.	Short title.	Amendments.
1865	X	The Indian Succession Act, 1865.	<p>In section 256, after the word "administration" the words and figures "other than a grant under section 212" shall be inserted.</p> <p>After section 264, the following sections shall be inserted, namely :—</p> <p>"264 A. The High Court may, on application made to it, suspend, remove or discharge any private executor or administrator and provide for the succession of another person to the office of any such executor or administrator who may cease to hold office, and the vesting in such successor of any property belonging to the estate.</p> <p>264 B. Where probate or directions to letters of administration in respect of any estate have been granted under this Act, the High Court may, on application made to it, give to the executor or administrator any general or special directions in regard to the estate or in regard to the administration thereof."</p> <p>After section 269, the following sections shall be inserted, namely :—</p> <p>"269 A. An executor or administrator may, in addition to, and not in derogation of, any other powers of expenditure lawfully exercisable by him, incur expenditure—</p> <p>(a) on such acts as may be necessary for the proper care and management of any property belonging to any estate administered by him, and</p> <p>(b) with the sanction of the High Court, on such religious, charitable and other objects, and on such improvements, as may be reasonable and proper in the case of such property.</p>

THE FIRST SCHEDULE—*contd.*

AMENDMENTS.

(See section 2.)

1	2	3	4
Year.	No.	Short title.	Amendments.
1865	X	The Indian Succession Act, 1865— <i>contd.</i>	"269 B. An executor or administrator shall agency charges, not be entitled to receive or retain any commission or agency charges at a higher rate than that for the time being fixed in respect of the Administrator General by or under the Administrator General's Act, 1913."
1869	IV	The Indian Divorce Act ...	In clause (1) of section 3, for the words "Chief Court of the Punjab" the words "High Court of Judicature at Lahore" shall be substituted.
1870	VII	The Court-fees Act, 1870	In Article 13 of Schedule I, for the words "Chief Court in the Punjab" the words "High Court of Judicature at Lahore" shall be substituted.
1872	I	The Indian Evidence Act, 1872.	In section 1, after the words "Courts-martial" the words "other than Courts-martial convened under the Army Act" shall be inserted.
1881	V	The Probate and Administration Act, 1881.	<p>After section 87, the following sections shall be inserted, namely:—</p> <p>"87 A. The High Court may, on application made to it, suspend, remove or discharge any private executor or administrator, and provide for the succession of another person to the office of any such executor or administrator who may cease to hold office, and the vesting in such successor of any property belonging to the estate.</p> <p>87 B. Where probate or letters of administration in respect of any estate have been granted under this Act, the High Court may, on application made to it, give to the executor or administrator any general or special directions in regard to the estate or in regard to the administration thereof."</p>

THE FIRST SCHEDULE—*contd.*

AMENDMENTS.

(See section 2.)

1	2	3	4
Year.	No.	Short title.	Amendments.
1881	V	The Probate and Administration Act, 1881— <i>contd.</i>	<p>After section 90, the following sections shall be inserted, namely :—</p> <p>"90 A. An executor or administrator may in addition to, and not in derogation of, any other powers of expenditure lawfully exercisable by him, incur expenditure—</p> <p>(a) on such acts as may be necessary for the proper care and management of any property belonging to any estate administered by him, and</p> <p>(b) with the sanction of the High Court, on such religious, charitable and other objects, and on such improvements, as may be reasonable and proper in the case of such property.</p> <p>"90 B. An executor or administrator shall not be entitled to receive or retain any commission or agency charges at a higher rate than that for the time being fixed in respect of the Administrator General by or under the Administrator General's Act, 1913."</p>
1887	XVI	The Punjab Tenancy Act, 1887.	In sections 84, 99, 100 and 105, for the words "Chief Court" wherever those words occur in the said sections the words "High Court" shall be substituted.
"	XVII	The Punjab Land-revenue Act, 1887.	In clauses (d) and (e) of sub-section (2) of section 117, for the words "Chief Court" the words "High Court" shall be substituted.
1890	IX	The Indian Railways Act, 1890.	In sub-section (3) of section 26 for the words "in the case of the Chief Court of the Punjab, the Senior Judge or, in the case of the Court of the Recorder of Rangoon, the Chief Commissioner of Burma" the words "in the case of the Chief Court of Lower Burma, the Chief Judge" shall be substituted.

THE FIRST SCHEDULE—*contd.*

AMENDMENTS.

(See section 2.)

1	2	3	4
Year.	No.	Short title.	Amendments.
1890	IX	The Indian Railways Act, 1890— <i>contd.</i>	For sub-section (2) of section 31, the following shall be substituted, namely :— “(2) Subject to the provisions of sub-section (1), an appeal shall lie from an order of the Commissioners to the High Court of which the Law Commissioner was a member.”
1897	X	The General Clauses Act, 1897.	Section 8 shall be re-numbered section 8 (1), and to the said section the following sub-section shall be added, namely :— “(2) Where any Act of Parliament repeals and re-enacts, with or without modification, any provision of a former enactment, then references in any Act of the Governor General in Council or in any Regulation or instrument to the provision so repealed shall, unless a different intention appears, be construed as references to the provision so re-enacted.” After section 13 the following section shall be inserted, namely :— “13A. In all Acts of the Governor General in Council and Regulations, references to the Sovereign or to the Crown shall, unless a different intention appears, be construed as references to the Sovereign for the time being.” In sub-section (1) of section 14, the words “on the Government” shall be omitted, and after the word “then” the words “unless a different intention appears” shall be inserted.
1898	V	The Code of Criminal Procedure, 1898.	In clause (i) of sub-section (1) of section 4, the word “and” where it occurs between the words “Allahabad” and “Patna” shall be omitted, and for the words “the Chief Court of the Punjab” the words “and Lahore” shall be substituted.

THE FIRST SCHEDULE—*contd.*

AMENDMENTS.

(See section 2.)

1	2	3	4
Year.	No.	Short title.	Amendments.
1899	II	The Indian Stamp Act, 1899.	In clause (c) of sub-section (1) of section 57 for the words "Chief Court of the Punjab" the words "High Court of Judicature at Lahore" shall be substituted.
1900	XIII	The Punjab Alienation of Land Act, 1900.	In sub-sections (2) and (3) of section 21 A for the words "Chief Court" the words "High Court" shall be substituted.
1908	V	The Code of Civil Procedure, 1908.	In section 122, for the words "Chief Courts of the Punjab and Lower Burma" the words "Chief Court of Lower Burma" shall be substituted. In sub-section (1) of section 123 for the words "Chief Courts" the words "of the Chief Court" shall be substituted. In clause (a) of sub-section (2) of section 123 for the words and brackets "(in the Punjab or Burma)" the words and brackets "(in Burma)" shall be substituted.
"	IX	The Indian Limitation Act, 1908.	In Article 158 of the First Schedule, for the entry in the third column the following shall be substituted, namely:— "When the award is filed in Court and notice of the filing has been given to the parties."
1910	XV	The Cantonments Act, 1910.	For section 6, the following section shall be substituted, namely:— "6. The Local Government shall appoint as the Cantonment Magistrate a person who has been appointed to be a Magistrate in the district under section 12 of the Code of Criminal Procedure, 1893. Such Cantonment Magistrate shall be subordinate to the District Magistrate or to the District Magistrate and the Sub-divisional Magistrate, as the case may be, under section 17 of that Code."

THE FIRST SCHEDULE—*concl'd.*

AMENDMENTS.

(See section 2.)

1	2	3	4
Year.	No.	Short title.	Amendments.
1911	VIII	The Indian Army Act, 1911	For section 67, the following section shall be substituted, namely :— <p>" 67. No trial by a court-martial of any person Limitation of subject to this trial. Act for any offence shall be commenced after the expiration of three years from the date of such offence unless the trial of such offender could not, by reason of absence or some other manifest impediment, be commenced within that period; in which case the trial may be commenced at any time not exceeding two years after such impediment has ceased."</p>
1913	II	The Official Trustees Act, 1913.	In section 9, for the words "such testator" the words "the testator" shall be substituted.
1915	VII	The Delhi Laws Act, 1915.	In the proviso to section 3, for the words "Chief Court of the Punjab" the words "High Court of Judicature at Lahore" shall be substituted.
1918	VII	The Indian Income-tax Act, 1918.	In sub-sections (2) and (3) of section 51, for the words "Revenue-authority" wherever they occur, the words "Chief Revenue-authority" shall be substituted.

THE SECOND SCHEDULE.

REPEALS.

(See section 3.)

1	2	3	4
Year.	No.	Short title.	Extent of repeal.
		<i>Acts of the Governor General of India in Council.</i>	
1866	XXVII	The Indian Trustees Act, 1866.	In section 2, in the definition of "High Court", the words "the Chief Court of the Punjab and".
"	XXVIII	The Trustees' and Mortgagees' Powers Act, 1866.	In section 1, in the definition of "High Court", the words "the Chief Court of the Punjab and".
1871	XXII	The Bengal Chaukidari (Amendment) Act, 1871.	The whole Act, so far as it applies to the United Provinces of Agra and Oudh.
1876	XVIII	The Oudh Laws Act, 1876.	In Part II of the Second Schedule, the entries relating to Acts XX of 1856 and XXII of 1871.
1879	XVIII	The Legal Practitioners Act, 1879.	In sub-section (4) of section 41 the words "the Chief Court of the Punjab and".
1897	X	The General Clauses Act, 1897.	Clause (23) of section 3. In sub-section (1) of section 4 the words "Her Majesty or the Queen".
1898	V	The Code of Criminal Procedure, 1898.	In clause (d) of sub-section (1) of section 4 the words "the Chief Judge of the Chief Court of the Punjab and". In sections 266 and 365 the words "the Chief Court of the Punjab". In sub-section (1) of section 364 the words "or the Chief Court of the Punjab".

THE SECOND SCHEDULE—*concl'd.*

REPEALS.

(See section 3.)

1	2	3	4
Year.	No.	Short title or subject.	Extent of repeal.
1902	V	The Administrators General and Official Trustees Act, 1902.	So much as is unrepealed.
1908	I	The Legal Practitioners (Amendment) Act, 1908.	Section 2.
1912	IV	The Indian Lunacy Act, 1912. <i>Acts of the Lieutenant Governor of the United Provinces of Agra and Oudh in Council.</i>	In section 85, the word "any" where it first occurs.
1906	IV	Repealing the North-Western Provinces and Oudh, Kanninges and Patwaris Act, 1889.	The whole Act.
1910	I	The United Provinces Water-works (Amendment) Act, 1910.	The whole Act.

H. M. SMITH,

Offg. Secretary to the Government of India.

GOVERNMENT OF INDIA.
LEGISLATIVE DEPARTMENT.

The following Act of the Indian Legislative Council received the assent of the Governor General on the 17th September, 1919, and is hereby promulgated for general information :—

ACT No. XIX OF 1919.

An Act further to amend the Indian Tariff Act, 1894.

WHEREAS it is expedient further to amend the Indian Tariff Act, 1894; It is hereby enacted as follows :—

1. This Act may be called the Indian Tariff (Amendment) Act, 1919.
Short title.

2. In clause (a) of section 10 of the Indian Tariff Act, 1894 (herein-
VIII of 1894 Amendment of section 10 of Act VIII of 1894. after referred to as the said Act), after the words "as the case may be", the words "or any part thereof", shall be inserted; and for the words "equivalent to the duty" the

words "equivalent to the amount paid in respect of such duty" shall be substituted.

3. In Schedule III of the said Act, items 3 and Amendment of Schedule 4 shall be re-numbered 4 III of Act VIII of 1894. and 5, respectively, and after item 2, the following item shall be inserted, namely :—

HIDES & SKINS		
"3 RAW HIDES AND SKINS-	<i>Ad valorem.</i>	15 per cent. Provided that, subject to such conditions as the Governor General in Council may, by notification in the Gazette of India prescribe, a rebate shall be granted to the exporter of two-thirds of the duty levied on hides or skins exported to any part of His Majesty's dominions or of the territories of any Indian Prince or Chief under the suzerainty of His Majesty or of any territories under the protection of His Majesty or in respect of which a mandate of the League of Nations is exercised by the Government of any part of His Majesty's dominions."

H. M. SMITH,

Offg. Secretary to the Government of India.

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WEDNESDAY, OCTOBER 15, 1919.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART V.

Acts of the Indian Legislative Council assented to by the Governor General.

GOVERNMENT OF INDIA. LEGISLATIVE DEPARTMENT.

The following Act of the Indian Legislative Council received the assent of the Governor General on the 24th September, 1919, and is hereby promulgated for general information:—

ACT No. XX OF 1919.

An Act further to amend the Indian Arms Act, 1878.

WHEREAS it is expedient further to amend the Indian Arms Act, 1878; It is hereby enacted as follows:—

1. (1) This Act may be called the Indian Arms (Amendment) Act, 1919.

(2) It shall come into force on the first day of January, 1920.

2. For section 16 of the Indian Arms Act, 1878, the following section shall be substituted, namely:—

“16. (1) Any person possessing arms, ammunition or military stores in certain cases arms to be deposited at the possession whereof has, police-stations or with in consequence of the cancellation or expiry of a licensed dealers. license or of an exemption or by the issue of a notification under section 15 or otherwise, become unlawful, shall without unnecessary delay deposit the same either with the officer in charge of the nearest police station or, at his option and subject to such conditions as the Local Government may by rule prescribe, with a licensed dealer.

(2) When arms, ammunition or military stores have been deposited under sub-section (1) or, before the first day of January, 1920, under the provisions of any law for the time being in force, the depositor shall, at any time before the expiry of such period as the Local Government may by rule prescribe, be entitled—

(a) to receive back any thing so deposited the possession of which by him has become lawful, and

(b) to dispose, or authorize the disposal, of any thing so deposited by sale or otherwise to any person whose possession of the same would be lawful; and to receive the proceeds of any such sale:

Provided that nothing in this sub-section shall be deemed to authorize the return or disposal of any thing the confiscation of which has been directed under section 24.

(3) All things deposited as aforesaid and not returned or disposed of under sub-section (2) within the prescribed period therein referred to shall be forfeited to His Majesty.

(4) (a) The Local Government may make rules consistent with this Act for carrying into effect the provisions of this section.

(b) In particular and without prejudice to the generality of the foregoing provision, the Local Government may by rule prescribe—

(i) the conditions subject to which arms, ammunition and military stores may be deposited with a licensed dealer, and

(ii) the period after the expiry of which things deposited as aforesaid shall be forfeited under sub-section (3).

H. M. SMITH,

Offg. Secretary to the Government of India.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

The following Act of the Indian Legislative Council received the assent of the Governor General on the 24th September, 1919, and is hereby promulgated for general information :—

ACT No. XXI OF 1919.

An Act further to amend the Indian Coinage Act, 1906.

WHEREAS it is expedient further to amend the III of 1906. Indian Coinage Act, 1906; It is hereby enacted as follows :—

1. This Act may be called the Indian Coinage (Amendment) Act, 1919.
Short title.

III of 1906. 2. In section 4 of the Indian Coinage Act, 1906, (hereinafter referred to as the said Act), the words "or eight-anna piece" and the words "or four-anna piece," in clauses (b) and (c), respectively, shall be omitted.

3. In section 6 of the said Act for the words "a two-anna piece and a one-anna piece" the words "an eight-anna, a four-

anna, a two-anna and a one-anna piece" shall be substituted.

4. In section 7 of the said Act for the words Amendment of section "two-anna and one-anna 7, Act III of 1906. pieces shall be ninety and sixty grains Troy, respectively," the words "eight-anna, four-anna, two-anna and one-anna pieces shall be one hundred and twenty, one hundred and five, ninety, and sixty grains Troy, respectively" shall be substituted.

5. In section 13 of the said Act for the words Amendment of section "The two-anna" the words 13, Act III of 1906. "The eight-anna, four-anna, two-anna" shall be substituted, and after the words "at the rate of" the words "two, four," shall be inserted.

6. (1) In the heading to section 16 of the said Act the word "Silver" shall be omitted.
Amendment of the heading to section 16 and of section 20, Act III of 1906.

(2) In section 20 of the said Act after the word "silver" where it first occurs the words "or nickel," and after the word "or" where it occurs for the last time the words "in the case of silver coin," shall be inserted.

H. M. SMITH,

Offg. Secretary to the Government of India.

GOVERNMENT OF INDIA.
LEGISLATIVE DEPARTMENT.

The following Act of the Indian Legislative Council received the assent of the Governor General on the 24th September, 1919, and is hereby promulgated for general information :—

ACT No. XXII OF 1919.

An Act further to amend the Cantonments Act, 1910.

WHEREAS it is expedient further to amend the Cantonments Act, 1910 ; It is hereby enacted as follows :—

1. This Act may be called the Cantonments
Short title. (Amendment) Act, 1919.

2. In section 24 of the Cantonments Act, ^{xv} of 1910.
Amendment of sec- 1910, —
tion 24, Act XV of 1910.

(1) for clause (20) the following clause shall be substituted, namely :—

“(20) the prohibition of the practice of any profession or of the carrying on of any trade, calling, or occupation in any part of the cantonment otherwise than in accordance with the conditions of a license ; the fees payable for the grant and renewal of such licenses and the authorities by which and the conditions subject to which such licenses may be granted, refused, suspended and revoked.”

(2) in clause (23) the words “ loitering or importuning for the purpose of ” shall be omitted, and after the word “ cantonment ” where it first occurs the words “ of prostitutes and procurers ” shall be inserted.

H. M. SMITH,

Offg. Secretary to the Government of India.

GOVERNMENT OF INDIA.
LEGISLATIVE DEPARTMENT.

The following Act of the Indian Legislative Council received the assent of the Governor General on the 24th September, 1919, and is hereby promulgated for general information :—

ACT No. XXIII OF 1919.

An Act to amend the Cinematograph Act, 1918.

WHEREAS it is expedient to amend the Cinematograph Act, 1918; It is hereby enacted as follows :—

1. This Act may be called the Cinematograph Short title. (Amendment) Act, 1919.

2. For sub-section (3) of section 1 of the Cinematograph Act, 1918 (hereinafter referred to as the said Act), the following sub-section shall be substituted, namely :—

“(3) The Governor General in Council may, by notification in the Gazette of India, direct that the whole or any of its provisions shall come into force in any Province or part of a Province on such date as may be specified in the notification.”

3. In sub-section (2) of section 5 of the said Act, for the words “the prescribed authority” the words and figure “an authority constituted under section 7” shall be substituted.

4. For section 7 of the said Act the following Substitution of a section shall be substituted, new section for section 7, Act II of 1918. namely :—

“7. (1) Any Local Government authorised in this behalf by the Governor General in Council may, by notification in the local official gazette, constitute as many authorities as it may think fit for the purposes of examining and certifying films as suitable for public exhibition, and declare the area (hereinafter referred to as the ‘local area’) within which each such authority shall exercise the powers conferred on it by this Act. Where an authority so constituted consists of a Board of two or more persons, not more than one-half of the members thereof shall be persons in the service of Government.

(2) If any such authority after examination considers that a film is suitable for public exhibition, it shall grant a certificate to that effect to the person applying for the same, and shall cause the film to be marked in the prescribed manner. The certificate of any such authority shall, save as hereinafter provided, be valid throughout the territories in which this Act is in force.

(3) (a) If the authority is of opinion that a film is not suitable for public exhibition in the local area, it shall inform the person applying for the certificate of its decision, and such person may, within thirty days from the date of such decision, appeal for a reconsideration of the matter by the

Local Government by which the authority was constituted.

(b) If the Local Government rejects the appeal it shall, by notification in the local official gazette, direct that the film shall be deemed to be an uncertified film in that local area, and such direction shall have effect notwithstanding the subsequent grant of a certificate in respect of the film by any other such authority.

(4) Any such authority may demand the exhibition before itself of any certified film which it has reason to believe is about to be publicly exhibited in its local area, and may by order suspend the certificate of any such film pending the orders of the Local Government, and during such suspension the film shall be deemed to be an uncertified film in that area.

(5) The District Magistrate, or, in a Presidency town or in the town of Rangoon, the Commissioner of Police, may by order suspend the certificate of any film pending the orders of the Local Government, and during such suspension the film shall be deemed to be an uncertified film in that district or town.

(6) A copy of any order of suspension made under sub-section (4) or (5), together with a statement of reasons therefor, shall forthwith be forwarded by the authority or the officer making the same to the Local Government by which the authority was constituted or to which the officer is subordinate, as the case may be, and such Local Government may, in its discretion, either discharge the order or, by notification in the local official gazette, direct that the film shall be deemed to be an uncertified film in the whole or any part of the Province.

(7) A Local Government may, of its own motion, by notification in the local official gazette, direct that a certified film shall be deemed to be an uncertified film in the whole or any part of the Province.

(8) The exhibition of a film to which any order or direction under clause (b) of sub-section (3) or sub-section (4), (5), (6) or (7) is for the time being applicable shall, in the area to which such order or direction relates, be deemed to be a contravention of the condition mentioned in sub-section (2) of section 5.”

5. In section 8 of the said Act—

Amendment of section 8, Act II of 1918.

(1) at the end of clause (b) of sub-section (2) the word “and” shall be omitted, and after the same clause the following clause shall be inserted, namely :—

“(bb) the appointment of officers subordinate to authorities constituted under section 7 and the regulation of the powers and duties of such officers; and” ; and

(2) for sub-section (3) the following sub-section shall be substituted, namely :—

“(3) The Governor General in Council may delegate to a Local Government, subject to such conditions and restrictions as he may impose, the power to make rules regarding all or any of the matters mentioned in sub-section (2) so far as regards the territories subject to that Government.”

H. M. SMITH,

Offg. Secretary to the Government of India.

**GOVERNMENT OF INDIA.
LEGISLATIVE DEPARTMENT.**

The following Act of the Indian Legislative Council received the assent of the Governor General on the 24th September, 1919, and is hereby promulgated for general information:—

ACT NO. XXVI OF 1919.

An Act further to amend the Indian Paper Currency (Amendment) Act, 1917, and to amend the Indian Paper Currency Act, 1918.

WHEREAS it is expedient further to amend the Indian Paper Currency (Amendment) Act, 1917, and to amend the Indian Paper Currency Act, 1918; It is hereby enacted as follows:—

1. This Act may be called the Indian Paper Currency (Further Amendment) Act, 1919.

Short title.

2. In section 2 of the Indian Paper Currency (Amendment) Act, 1917, for the words "eight hundred millions" the words "one thousand millions" shall be substituted.

Amendment of section 2, Act XIX of 1917.

3. (1) In the title of the Indian Paper Currency Act, 1918, (hereinafter referred to as the said Act) for the word "silver" the words "gold and silver" shall be substituted.

Amendment of the title and preamble, Act XIII of 1918.

(2) In the preamble to the said Act—

(i) the words "owing to the present war" shall be omitted; and

(ii) for the word "silver" the words "gold and silver" shall be substituted.

4. For section 2 of the said Act the following section shall be substituted, namely:—

Substitution of new section for section 2, Act XIII of 1918.

"2. In this Act the words "gold" and "silver" mean respectively gold and silver coin or gold and silver bullion."

Definitions.

5. In section 3 of the said Act for the word "silver" in both places where it occurs, the words "gold or silver" shall be substituted.

Amendment of section 3, Act XIII of 1918.

6. The Indian Paper Currency (Amendment) Act, 1919, is hereby repealed.

Repeal of Act II of 1919.

M. SMITH,

Offg. Secretary to the Government of India.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

The following Act of the Indian Legislative Council received the assent of the Governor General on the 25th September 1919, and is hereby promulgated for general information:—

ACT No. XXVII OF 1919.

An Act to indemnify officers of Government and other persons in respect of certain acts done under martial law, and to provide for other matters in connection therewith.

WHEREAS owing to the recent disorders in certain districts in the Punjab and in other parts of India, martial law has been enforced;

AND WHEREAS it is expedient to indemnify officers of Government and other persons in respect of acts, matters and things ordered or done or purporting to have been ordered or done for the purpose of maintaining or restoring order, provided that such acts, matters or things were ordered or done in good faith and in a reasonable belief that they were necessary for the said purposes;

AND WHEREAS certain persons have been convicted by courts and other authorities constituted or appointed under martial law, and it is expedient to confirm and provide for the continuance of certain sentences passed by such courts or authorities;

It is hereby enacted as follows:—

1. This Act may be called the Indemnity Act, 1919.

2. No suit or other legal proceeding whatsoever, whether civil or criminal, shall lie in any court of law against any officer of Government, whether civil or military, or against any other person acting under the orders of any such officer for or on account of or in respect of any act, matter or thing ordered or done or purporting to have been ordered or done for the purpose of maintaining or restoring order in any part of British India where martial law was enforced, on or after the 30th of March, 1919, and before the 26th of August, 1919, by any such officer or person: provided that such officer or person has acted in good faith and in

a reasonable belief that his action was necessary for the said purposes;

and if any such proceeding has been instituted before the passing of this Act it is hereby discharged.

3. For the purposes of section 2 a certificate of a Secretary to Government that any act was done under the orders of an officer of Government shall be conclusive proof thereof, and all action taken for the aforesaid purposes shall be deemed to have been taken in good faith and in a reasonable belief that it was necessary therefor unless the contrary is proved.

4. Every person confined under and by virtue of any sentence passed by a court or other authority constituted or appointed under martial law and acting in a judicial capacity shall be deemed to have been lawfully confined and shall continue liable to confinement until the expiration of such sentence, or until released by the Governor General in Council or otherwise discharged by lawful authority.

5. Where under martial law the property of any person has been taken or used by any officer of Government, whether civil or military, the Governor General in Council shall pay to such person reasonable compensation for any loss immediately attributable to such taking or using, to be assessed upon failure of agreement by a person holding judicial office not inferior to that of a District Judge to be appointed by the Government in this behalf.

6. Nothing in this Act shall—

Savings.

- (a) apply to any sentence passed or punishment inflicted by or under the orders of any Commission appointed under the Martial Law Ordinance, 1919,
- (b) be deemed to bar a full and unqualified exercise of His Majesty's pleasure in receiving or rejecting appeals to His Majesty in Council or to affect any question or matter to be decided therein, or
- (c) prevent the institution of proceedings by or on behalf of the Government against any person in respect of any matter whatsoever.

H. M. SMITH,

Offg. Secretary to the Government of India.

GOVERNMENT OF INDIA.
LEGISLATIVE DEPARTMENT.

The following Act of the Indian Legislative Council received the assent of the Governor General on the 24th September, 1919, and is hereby promulgated for general information :—

ACT No. XXIV OF 1919.

An Act to remove the restrictions imposed on the withdrawal of capital from the money-market by Companies.

WHEREAS it is expedient to remove the restrictions imposed on the withdrawal of capital from the

money-market by Companies; It is hereby enacted as follows :—

1. This Act may be called the Indian Companies Restriction Repealing Act, 1919.
Short title.

2. The Indian Companies Restriction Act, XII of 1918 Repeal of Act XII 1918, is hereby repealed, of 1918.

H. M. SMITH,

Offg. Secretary to the Government of India.

GOVERNMENT OF INDIA.
LEGISLATIVE DEPARTMENT.

The following Act of [the Indian Legislative Council received the assent of the Governor General on the 24th September, 1919, and is hereby promulgated for general information :—

ACT No. XXV OF 1919.

An Act further to amend the Indian Merchant Shipping Acts, 1859 and 1883.

WHEREAS it is expedient further to amend the Indian Merchant Shipping Acts, 1859 and 1883; It is hereby enacted as follows :—

1. This Act may be called the Indian Merchant Shipping Law Amendment Act, 1919.

Short title.

2. In section 114 of the Indian Merchant Shipping Act, 1859, for the words "belonging to, or in the service of, Her Majesty," the words "belonging to His Majesty or the Government" shall be substituted.

3. In section 5 of the Indian Merchant Shipping Act, 1883, for the words "belonging to, or in the service of, Her Majesty or of the Government of India," the words "belonging to His Majesty or the Government" shall be substituted.

H. M. SMITH,

Offg. Secretary to the Government of India

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PART VI.

Bills introduced in the Indian Legislative Council, Reports of Select Committees, presented to the Council, and Bills published under Rule 23.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

The following Bill was introduced in the Indian Legislative Council on the 3rd September 1919 :—

No. 16 OF 1919.

A Bill to provide for certain matters in connection with the taking of the Census.

WHEREAS it has been determined to take a census of British India during the year 1921, and it is expedient to provide for certain matters in connection with the taking of such census; It is hereby enacted as follows :—

1. (1) This Act may be called the Indian Census Short title and extent. Act, 191 .

(2) It extends to the whole of British India, inclusive of British Baluchistan, the Santhal Parganas and the Pargana of Spiti.

2. (1) The Local Government may appoint any person to take, or aid in or supervise the taking of, the census within any specified local area.

(2) Persons so appointed shall be called census-officers.

(3) The Local Government may delegate to such authority as it thinks fit the power of appointing census-officers which is conferred by this section.

3. (1) A declaration in writing, signed by any officer authorised by the Local Government in this behalf, that any person has been duly appointed a census-officer for any local area shall be conclusive proof of such appointment.

(2) All census-officers shall be deemed to be public servants within the meaning of the Indian XLV of 1890 Penal Code.

4. (1) (a) Every officer in command of any body of men belonging to His Majesty's naval, military or air forces or to His Majesty's Indian Marine Service or of any vessel of war,

(b) every person (except a pilot or harbour-master) having charge or control of a vessel,

(c) every person in charge of a lunatic asylum, hospital, workhouse, prison, reformatory or lock-up or of any public, charitable, religious or educational institution,

(d) every keeper, secretary or manager of any sarai, hotel, boarding-house, lodging-house, emigration depot or club, and

(e) every occupant of immoveable property and every manager or officer of a railway or other commercial or industrial enterprise who has at the time of the taking of the census not less than twenty persons employed under him, or living on or in such property,

shall, if so required by the District Magistrate or by such officer as the Local Government may appoint in this behalf, perform such of the duties of a census-officer in relation to the persons who at the time of the taking of the census are under his command or charge, or inmates of his house or present on or in such immoveable property, as such Magistrate or officer may, by written order, direct.

(2) All the provisions of this Act relating to census-officers shall apply, so far as they can be made applicable, to all persons while performing such duties under this section, and any person refusing or neglecting to perform any duty which he is directed under this section to perform shall be deemed to have committed an offence under

XLV of 1860, section 187 of the Indian Penal Code.

5. (1) The District Magistrate, or such officer as the Local Government may appoint in this behalf, may, by written order, which shall have effect throughout the limits of his district or of such local area, as the case may be, call upon—

(a) all owners and occupiers of land, tenure-holders, farmers, assignees of land-revenue and lessees of fisheries under the Burma Fisheries Act, 1905, or the Upper Burma Land and Revenue Regulation, 1889, or their agents,

(b) all village-officers and servants in estates as defined in the Madras Proprietary Estates' Village Service Act, 1894, and

(c) all members of panchayats appointed under the Village Chankidari Act, 1870, the Sylhet and Cachar Rural Police Regulation, 1883, or the Bengal Village Self Government Act, 1919, all ghatwals, Unit-tahsildars and members of a panchayat appointed under the Chota Nagpur Rural Police Act, 1914, and all village-headmen in the Kumaun Division of the United Provinces

to give such assistance as he needs towards the taking of a census of the persons who are at the time of the taking of the census on the lands of such owners, occupiers, holders, farmers and assignees, or within the limits of such fisheries or in the villages or other areas for which such village-officers and servants, panchayats, ghatwals, Unit-tahsildars or village-headmen are appointed, as the case may be.

(2) Such order shall specify the nature of the assistance required, and such owners, occupiers, holders, farmers, assignees, lessees or their agents, and such village-officers and servants, the members of such panchayats and such ghatwals, Unit-tahsildars and village-headmen shall be bound to obey it.

6. Every census-officer may ask all such ques-

Asking of questions of all persons within the limits of the local area by census-officers.

for which he is appointed as, by instructions issued in this behalf by the Local Government and published in the official Gazette, he may be directed to ask.

7. Every person of whom any question is asked under the last foregoing section shall be legally bound to answer such question to the best of his knowledge belief :

Provided that no person shall be bound to state the name of any female member of his household, and that no woman shall be bound to state the name of her husband or deceased husband or of any other person whose name she is forbidden by custom to mention.

8. Every person occupying any house, enclosure, vessel or other place shall allow census-officers such access thereto as they may require for the purposes of the census, and as, having regard to the customs of the country, may be reasonable, and shall allow them to paint on or affix to the place such letters, marks or numbers as may be necessary for the purposes of the census.

9. (1) Subject to such orders as the Local Government may issue in this behalf, any census-officer may leave, or cause to be left,

(a) at any dwelling-house within the local area for which he is appointed, or

(b) with any manager or officer of any commercial or industrial enterprise who has at the time of the taking of the census not less than twenty persons employed under him.

a schedule for the purpose of its being filled up by the occupier of such house or of any specified part thereof or by such manager or officer with such particulars as the Local Government may direct regarding the inmates of such house or part, or the persons employed under such manager or officer at the time of the taking of the census.

(2) When any such schedule has been so left, the occupier of the house or part to which it relates or the manager or officer with whom it is left shall fill it up, or cause it to be filled up, to the best of his knowledge or belief, so far as regards the inmates of such house or part, as the case may be, or the persons employed under him at the time aforesaid, and shall sign his name thereto, and, when so required, shall deliver the schedule so filled up and signed to the census-officer or to such person as he may direct.

10. In any of the following cases, namely :—

Penalties.

(a) if a census-officer or a person appointed to be a census-officer or a person lawfully required to give assistance towards the taking of a census refuses or neglects to use reasonable diligence in performing any duty imposed upon him or in obeying any order issued to him in accordance with this Act or with any rule duly made thereunder,

(b) if a census-officer intentionally puts any offensive or improper question or knowingly makes any false return,

(c) if any person refuses to answer to the best of his knowledge or belief any question asked of him by a census-officer which he is legally bound to answer by section 7 so to answer,

(d) if any person occupying any house, enclosure, vessel or other place refuses to allow a census-officer such reasonable access thereto as he is required by section 8 to allow,

Bur. Act III
of 1905.
141 of 1889.

Mad. Act II
of 1894.

Ben. Act VI
of 1870.
1 of 1883.
Ben. Act V
of 1919.

B. and O.
Act I of 1914.

(e) if any person removes, obliterates, alters or injures before the 31st day of March, 1921, any letters, marks or numbers which have been painted or affixed for the purposes of the census,

(f) if any occupier of a dwelling-house or part thereof or any person with whom a schedule is left under section 9 knowingly and without sufficient cause fails to comply with the provisions of section 9 or makes any false return under that section,

he shall be punishable with fine which may extend to fifty rupees

11. (1) The Local Government may, by notification in the official Gazette, declare before what classes of Magistrates prosecutions under this Act may be instituted.

(2) Unless and until a notification is published under sub-section (1), all prosecutions under this Act shall, in the towns of Calcutta, Madras and Bombay, be instituted before a Presidency Magistrate, and elsewhere before the District Magistrate.

(3) No prosecution under this Act shall be instituted except with the previous sanction of the Local Government, or with the previous sanction of some officer authorised by the Local Government in this behalf.

12. No person shall have a right to inspect any

Records of census not open to inspection or made by a census-officer in admissible in evidence the discharge of his duty as in certain proceedings. such officer or any schedule

delivered under section 9, and, notwithstanding anything to the contrary in the Indian Evidence Act, 1872, no entry in any such book, register, record or schedule shall be admissible as evidence in any civil proceeding or any proceeding under Chapter XII or Chapter XXXVI of the Code of Criminal Procedure, 1898.

13. Notwithstanding anything in any enactment or rule with respect to the mode in which a census is to be taken in any municipality, the municipal authority may, at the time appointed for the taking of the census of British India during the year 1921, cause the census of the municipality to be taken wholly or in part by any method authorised by this Act.

14. Notwithstanding anything in any enactment or rule, in regard to expenses. municipal, local, union or village funds, the Local Government may direct that the whole or any part of any expenses incurred for anything done in accordance with this Act may be charged to any municipal, local, union or village fund constituted for, and on behalf of, the area within which such expenses were incurred.

15. (1) The Governor General in Council may make rules for carrying out the purposes of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, the Governor General in Council may make rules providing—

(a) for the appointment of census-officers and of persons to perform any of the duties of census-officers or to give assistance towards the taking of a census and for the general instructions to be issued to such officers and persons;

(b) for the enumeration of persons employed on railways and their families and of other classes of the population for whom it may be necessary or expedient to make special provision; and

(c) for the enumeration of persons travelling on the night when a census is taken.

(3) The Governor General in Council may, by general or special order, direct that all or any of the powers conferred upon him by this section may also be exercised by any Local Government with respect to the territories administered by it.

STATEMENT OF OBJECTS AND REASONS.

The object of this Bill is to provide for the taking of a census in 1921. It reproduces, with the necessary verbal alterations, the provisions of the Indian Census Act, 1910 (XVI of 1910).

SIMLA,

The 2nd August, 1919.

MUHAMMAD SHAFI.

H. M. SMITH,

Offg. Secretary to the Government of India.

GOVERNMENT OF INDIA.
LEGISLATIVE DEPARTMENT.

The following Bill was introduced in the Indian Legislative Council on the 3rd September 1919 :—

No. 21 of 1919.

A Bill to provide more effectual control over the administration of Charitable and Religious Trusts.

WHEREAS it is expedient to provide facilities for the obtaining of information regarding trusts created for public purposes of a charitable or religious nature; to enable the trustees of such trusts to obtain the directions of the District Judge on certain matters; and to make special provision for the payment of the expenditure incurred in certain suits against the trustees of such trusts; It is hereby enacted as follows :—

1. (1) This Act may be called the Charitable and Religious Trusts Act, 191 .
Short title and extent.

(2) It extends to the whole of British India.

2. Save as hereinafter provided in this Act, any person having an interest in any express or constructive trust created or existing for a public purpose of a charitable or religious nature may apply by petition to the District Judge within the local limits of whose jurisdiction any substantial part of the subject-matter of the trust is situate to obtain an order embodying all or any of the following directions, namely :—

(1) directing the trustee to furnish the petitioner with particulars as to the nature and objects of the trust and of the value, condition, management and application of the subject-matter of the trust, and of the income belonging thereto or as to any of these matters, and

(2) directing that the accounts of the trust shall be examined and audited.

3. The petition shall show in what way the petitioner claims, to be interested in the trust, and shall specify as far as may be the particulars and the audit which he seeks to obtain.

4. (1) If the District Judge, on receipt of a petition under section 2, is of opinion that there are *prima facie* grounds for believing that the petitioner has an interest in the trust to which the petition relates, he shall fix a date for the hearing of the petition, and shall cause a copy thereof, together with notice of the date so fixed, to be served on the trustee and upon any other person to whom, in his opinion, notice of the petition should be given.

(2) On the date fixed for the hearing of the petition or on any subsequent date to which the hearing may be adjourned, the District Judge shall, after hearing the petitioner, and the trustee, if he appears, and any other person who has appeared in consequence of the notice or who he considers ought to be heard, and after making

such further inquiries as he thinks fit, pass such orders on the petition as he may deem expedient in the circumstances of the case :

Provided that nothing in this section shall be deemed to authorise the District Judge to try or determine—

(a) any question of title between the petitioner and any person claiming title adversely to the trust, or

(b) any question as to the existence or extent of the trust.

5. If a trustee without reasonable excuse fails to comply with an order made under section 4, such trustee shall, without prejudice to any other penalty or liability which he may incur under any law for the time being in force, be deemed to have committed a breach of trust affording ground for a suit under the provisions of section 92 of the Code of Civil Procedure, 1908 ; and any such suit may, so far as it is based on such failure, be instituted without the previous consent of the Advocate General.

6. (1) Save as hereinafter provided in this Act, the trustee of any express or constructive trust created or existing for a public purpose of a charitable or religious nature may apply by petition to the District Judge within the local limits of whose jurisdiction any substantial part of the subject-matter of the trust is situate, for the District Judge's opinion, advice or direction on any question affecting the management or administration of the trust property, and the District Judge shall give his opinion, advice or direction, as the case may be, thereon :

Provided that the District Judge shall not be bound to give such opinion, advice or direction on any question which he considers to be a question not proper for summary disposal.

(2) The District Judge, on a petition under sub-section (1), may either give his opinion, advice or direction thereon forthwith or fix a date for the hearing of the petition, and may direct a copy thereof, together with notice of the date so fixed, to be served on such of the persons interested in the trust, or to be published for information in such manner, as he thinks fit.

(3) On any date fixed under sub-section (2) or on any subsequent date to which the hearing may be adjourned, the District Judge, before giving any opinion, advice or direction, shall afford a reasonable opportunity of being heard to all persons appearing in connection with the petition.

(4) A trustee stating in good faith the facts of any matter relating to the trust in a petition under sub-section (1), and acting upon the opinion, advice or direction of the District Judge given thereon, shall be deemed, as far as his own responsibility is concerned, to have discharged his duty as such trustee in the matter in respect of which the petition was made.

7. The costs, charges and expenses of and incidental to any petition, and all proceedings in connection therewith, under the foregoing provisions of this Act shall be in the

discretion of the District Judge, who may direct the whole or any part of any such costs, charges and expenses to be met from the property or income of the trust in respect of which the petition is made, or to be borne and paid in such manner and by such persons as he thinks fit :

Provided that no such order shall be made against any person (other than the petitioner) who has not received notice of the petition and had a reasonable opportunity of being heard thereon.

8. No petition under the foregoing provisions of this Act in relation to any trust shall be entertained in any of the following circumstances, namely :—

- (a) if a suit instituted in accordance with the provisions of section 92 of the Code of Civil Procedure, 1908, is pending in respect of the trust in question ;
- (b) if the trust property is vested in the Treasurer of Charitable Endowments, the Administrator-General, the Official Trustee, or any Society registered under the Societies Registration Act, 1860 ; or
- (c) if a scheme for the administration of the trust property has been settled or approved by any Court of competent jurisdiction, or by any other authority acting under the provisions of any enactment.

9. (1) In any suit instituted under section 14 of the Religious Endowments Act, 1863, or under section 92 of the Code of Civil Procedure, 1908, the Court, on application of the plaintiff and after hearing the defendant and making such inquiry as it thinks fit may, if it is satisfied that such an order is necessary in the public interest, direct the defendant either to furnish security for any expenditure

incurred, or likely to be incurred, by the plaintiff in instituting and maintaining such suit, or to deposit from any money in his hands as trustee of the trust to which the suit relates such sum as the Court considers sufficient to meet such expenditure in whole or in part.

(2) When any money has been deposited in accordance with an order made under sub-section (1), the Court may make over to the plaintiff the whole or any part of such sum for the conduct of the suit. Before making over any sum to the plaintiff, the Court shall take security from the plaintiff for the refund of the same in the event of such refund being subsequently ordered by the Court.

10. (1) The provisions of the Code of Civil Procedure, 1908, relating to—
Provisions of the Code of Civil Procedure to—
to apply.

- (a) the proof of facts by affidavit,
- (b) the enforcing of the attendance of any person and his examination on oath,
- (c) the enforcing of the production of documents, and
- (d) the issuing of commissions,

shall apply to all proceedings under this Act, and the provisions relating to the service of summonses shall apply to the service of notices thereunder.

(2) The provisions of the said Code relating to the execution of decrees shall, so far as they are applicable, apply to the execution of orders under this Act.

11. No appeal shall lie from any order passed, or against any opinion, advice or direction given, under this Act.

STATEMENT OF OBJECTS AND REASONS.

The Religious Endowments Act, 1863 (XX of 1863), was the result of the decision of the Government to divest its officers of all direct superintendence and control of religious and charitable endowments in India, transferring their functions to managers or managing committees, and merely making provision for intervention by the civil Courts on application made by any person interested in a particular institution. This policy, however, did not long remain unchallenged, and since 1866 there have been constant complaints, especially in the Madras Presidency, as to the inefficacy of the Act to prevent the squandering or misappropriation of the funds of such endowments, and suggestions for its amendment have from time to time been made to the Government of India. Mr. Ananda Charlu in 1897, Mr. Srinivasa Rao in 1903 and Dr. (now Sir) Rash Behari Ghose in 1908, for example, promoted amending Bills, but none of them became law. More recently in 1911 a private Bill was introduced in the Bombay Legislative Council by the Hon'ble Sir Ibrahim Rahimtoola, to provide for the registration of all charitable trusts exceeding a certain value and for the annual audit of the accounts of such trusts by auditors approved by Government. Endowments of a purely religious nature were not included, but the contents of the Bill made it clear that the ultimate object was to press for legislation for religious as well as secular trusts. About the same time a private Bill was promoted by two non-official members of the Madras Legislative Council to provide for the regular publication of the accounts of all religious endowments above a certain value and for their audit by an officer to be appointed by the District Judge. These proposals led the Government of India to reconsider the policy in force since 1863. In March 1914, the whole subject was discussed at a mixed conference of official and non-official gentlemen representing the Hindu, Muhammadan, Sikh and Buddhist communities. The present Bill, which is the outcome of the deliberations of that conference, has as its object the simplification and cheapening of the legal processes by which persons interested can obtain information regarding the working of both religious and charitable trusts, and the exercise of a more efficient control over the action of trustees. The Bill provides that any person interested in a trust may apply by petition to the District Judge for an order directing the trustee

to furnish him with information as to the nature and objects of the trust and of the value, condition, management and application of the subject-matter of the trust, and of the income belonging thereto, or as to any of these matters, and also directing that the accounts of the trust shall be examined and audited. Failure to comply with such an order of the Court would be deemed a breach of trust. In order, however, that such applications should not lead to protracted and contentious litigation, the Court is debarred from trying any question of title between the petitioner and any person claiming title to the trust, or any question as to the existence or extent of any trust. Under the Bill it will be left to those interested to move in the matter: the initiative will not rest with Government, nor will anything be done where no one is sufficiently interested to take action. When the Court is moved the proceedings will be simple and expeditious; they will be held in the presence of all parties, and the order passed will be a judicial order of the Court. Further, in order to meet the objection that recourse to section 14 of the Act of 1863 or section 92 of the Code of Civil Procedure, 1908, involves expensive litigation, the Court is authorised, on the application of the plaintiff and after the defendant is heard, to direct the defendant either to furnish security for the expenditure incurred or likely to be incurred in bringing and maintaining the suit, or to deposit in Court an amount sufficient to meet such expenditure.

It will be observed that the draft Bill only embodies general principles. It is intended that such details as the institution of some public record of the facts regarding these trusts, the publication of audited accounts, and the relaxation of some of the conditions governing committees constituted under the Act of 1863, *e.g.*, the tenure of the membership of such committees, should be left to Provincial Legislatures.

SIMLA;

The 21st August, 1919. }

W. H. VINCENT.

H. M. SMITH,

Offg. Secretary to the Government of India.

The Calcutta Gazette.

PUBLISHED BY AUTHORITY.

WEDNESDAY, OCTOBER 1, 1919.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART VI.

Bills introduced in the Indian Legislative Council. Reports of Select Committees presented to the Council, and Bills published under Rule 23.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

The following Bill was introduced in the Indian Legislative Council on the 11th September 1919 :—

No. 29 of 1919.

A Bill to establish and incorporate a unitary teaching and residential University at Dacca.

WHEREAS it is expedient to establish and incorporate a unitary teaching and residential University at Dacca; It is hereby enacted as follows :—

1. (1) This Act may be called the Dacca University Act, 1919.
Short title and commencement

(2) It shall, save as otherwise expressly provided herein, come into force on such date as the Governor General in Council may by notification in the Gazette of India direct.

2. In this Act, and in all Statutes made hereunder, unless there is anything repugnant in the subject or context,—

(a) "Hall" means a unit of residence for students of the University provided by the University;

293LD

(b) "Hostel" means a unit of residence for students of the University provided otherwise than by the University, and approved and licensed by the University in accordance with the provisions of this Act;

(c) "Local Government" means the Governor of Bengal in Council;

(d) "Provost" means the head of a Hall;

(e) "registered graduates" means graduates registered under the provisions of this Act;

(f) "servants" includes clerical establishment and menials;

(g) "Statutes," "Ordinances" and "Regulations" mean, respectively, the Statutes, Ordinances and Regulations of the University for the time being in force;

(h) "teachers" includes Professors, Readers and Lecturers;

(i) "University" means the Dacca University; and

(j) "Warden" means the head of a Hostel.

The University.

3. (1) The first Chancellor and Vice-Chancellor of the University and the first members of the Court, the Executive Council and the Academic Council and all persons who may hereafter become such officers or members, so long as they continue to hold such office or membership, are hereby constituted a body corporate by the name of the Dacca University.

(2) The Dacca University shall have perpetual succession and a Common Seal, and shall sue and be sued by the said name.

4. The University shall have the following Powers of the University powers, namely :—

(1) to grant and confer degrees and other academic distinctions to and on persons who shall have pursued a course of study in the University, and shall have passed the examinations of the University, under conditions laid down in the Ordinances and Regulations,

(2) to confer honorary degrees or other distinctions on approved persons in the manner laid down in the Statutes,

(3) to provide for instruction in such branches of learning as the University may think fit, and to make provision for research and for the advancement and dissemination of knowledge,

(4) to grant such diplomas to and to provide such lectures and instruction for persons, not being members of the University, as the University may determine,

(5) to co-operate with other Universities and authorities in such manner and for such purposes as the University may determine,

(6) to institute Professorships, Readerships, Lectureships and any other teaching posts required by the University, and to appoint persons to such Professorships, Readerships, Lectureships and posts,

(7) to institute and award Fellowships, Scholarships, Exhibitions and Prizes in accordance with the Statutes and the Regulations,

(8) to institute and maintain Halls for the residence of students of the University and to approve and license Hostels maintained by other persons for the residence of such students,

(9) to demand and receive such fees as may be prescribed in the Ordinances,

(10) to supervise and control the residence, health and discipline of students of the University, and

(11) to do all such other acts and things, whether incidental to the powers aforesaid or not, as may be requisite in order to further the objects of the University as a teaching and examining body, and to cultivate and promote arts, science and learning.

5. The University shall be open to all persons of either sex and of whatever race, creed or class, and it shall not be lawful for the University to adopt or impose on any person any test whatsoever of religious belief or profession in order to entitle him to be admitted thereto as a teacher or student, or to hold any office therein, or to graduate thereat, or to enjoy or exercise any privilege thereof, except where such test is specially prescribed by the Statutes, or, in respect of any particular benefaction accepted by the University where such test is made a condition thereof by any testamentary or other instrument creating such benefaction :

Provided that nothing in this section shall be deemed to prevent religious instruction being given in the manner prescribed by the Ordinances to those willing to receive it by persons (whether teachers of the University or not) approved for that purpose by the Executive Council.

6. (1) The members of the University shall be the officers of the University, the members of the Court, the Professors, Readers, Lecturers, and such other classes of teachers of the University as may by the Statutes be admitted to membership, the members of the Faculties, the Wardens, the graduates and under-graduates of the University, and such other classes of persons as may be declared by the Statutes to be members of the University.

(2) The under-graduates of the University shall be such persons attending lectures or receiving instruction with a view to graduation in the University as have been admitted to the University in accordance with this Act and the Ordinances.

(3) A person shall continue to be a member of the University so long only as he shall continue to possess one of the qualifications enumerated in sub-section (1).

7. (1) All recognized teaching in connection with the University courses shall be conducted by the University, and shall include lecturing, laboratory work and other teaching conducted in the University by the Professors, Readers, Lecturers and other teachers thereof in accordance with any syllabus prescribed by the Regulations.

(2) The authorities responsible for organising such teaching shall be prescribed by the Statutes.

(3) The courses and *curricula* shall be prescribed by the Ordinances and the Regulations.

(4) It shall not be lawful for the University to conduct courses or maintain classes for the purpose of preparing students for admission to the University.

The Visitor.

8. (1) The Governor General shall be the Visitor of the University.

(2) The Visitor shall have the right to cause an inspection to be made by such person or persons as he may direct of the University, its buildings, laboratories, equipment, and of any institutions associated with the University, and also of the examinations, teaching and other work conducted or done by the University, and to cause an inquiry to be made in like manner in respect of any matter connected with the University and to address the Chancellor with reference to the results of such inspection or inquiry.

(3) The Chancellor shall communicate to the Executive Council the views of the Visitor and shall advise the University upon the action to be taken thereon.

(4) The Executive Council shall report to the Chancellor for communication to the Visitor such action as it is proposed to take or has been taken upon the results of such inspection or inquiry.

Officers of the University.

9. The following shall be the officers of the University :—

Officers of the University.

- (I) The Chancellor,
- (II) The Vice-Chancellor,
- (III) The Treasurer,
- (IV) The Provosts,
- (V) The Registrar,
- (VI) The Deans of Faculties, and
- (VII) Such other officers as may be declared by the Statutes to be officers of the University.

10. (1) The Chancellor shall be the Governor of Bengal. He shall by virtue of his office be the head of the University and the President of the Court, and shall when present preside at meetings of the Court and at any Convocation of the University.

(2) The Chancellor shall have such powers as may be conferred on him by this Act or the Statutes.

(3) Every proposal for the conferment of an honorary degree shall be subject to the confirmation of the Chancellor.

(4) The Chancellor shall, where committees of selection for Professorships and Readerships are constituted in British India, appoint in the manner prescribed by the Statutes one or more members of every such committee.

(5) The Chancellor shall have the right to hear appeals against the order of any officer or authority of the University affecting any class of persons in the University, and, if he thinks fit, shall advise the Executive Council thereon, and the Executive Council shall take such advice into consideration and shall make a report thereon to the Chancellor.

11. (1) The Vice-Chancellor shall be appointed by the Chancellor and shall hold office for such term and subject to such conditions as may be prescribed by the Statutes.

(2) Where any temporary vacancy in the office of the Vice-Chancellor occurs by reason of leave, illness or other cause, the Executive Council shall forthwith report the same to the Chancellor, who shall make such arrangements for carrying on the office of the Vice-Chancellor as he may think fit.

12. (1) The Vice-Chancellor shall be the principal executive and academic officer of the University, and shall in the absence of the Chancellor preside at meetings of the Court and at any Convocation of the University. He shall be an *ex-officio* member and Chairman of the Executive Council and of the Academic Council, and shall be entitled to be present and to speak at any meeting of any authority or other body of the University, but shall not be entitled to vote thereat unless he is a member of the authority or body concerned.

(2) It shall be the duty of the Vice-Chancellor to see that this Act, the Statutes and the

Ordinances are faithfully observed, and he shall have all powers necessary for this purpose.

(3) The Vice-Chancellor shall have power to convene meetings of the Court, the Executive Council and the Academic Council.

(4) In any emergency which in the opinion of the Vice-Chancellor requires that immediate action should be taken, the Vice-Chancellor shall take such action as he deems necessary, and shall within fourteen days thereafter report his action to the officer, authority or other body who or which in the ordinary course would have dealt with the matter.

(5) The Vice-Chancellor shall give effect to the orders of the Executive Council regarding the appointment, dismissal and suspension of the officers and teachers of the University, and shall exercise general control over the members of the University other than the Chancellor. He shall be responsible for the discipline of the University in accordance with this Act, the Statutes and the Ordinances.

(6) The Vice-Chancellor shall exercise such other powers as may be prescribed by the Statutes and the Ordinances.

13. (1) The Treasurer shall be appointed by the Chancellor upon such conditions and for such period, and shall receive such remuneration from the funds of the University, as the Chancellor shall deem fit.

(2) Where any temporary vacancy in the office of the Treasurer occurs by reason of leave, illness or other cause, the Executive Council shall forthwith report the same to the Chancellor, who shall make such arrangements for carrying on the office of the Treasurer as he may think fit.

(3) The Treasurer shall exercise general supervision over the funds of the University, and shall advise in regard to its financial policy.

(4) He shall be an *ex-officio* member of the Executive Council and shall, subject to the control of the Executive Council, manage the property and investments of the University. He shall be responsible for the presentation of the annual estimates and statement of accounts.

(5) Subject to the powers of the Executive Council, he shall be responsible for seeing that all monies are expended on the purpose for which they are granted or allotted.

(6) All contracts shall be signed by the Treasurer on behalf of the University.

(7) He shall exercise such other powers as may be prescribed by the Statutes and the Ordinances.

14. The Registrar shall act as Secretary of the Court and the Executive Council, and shall exercise such other powers as may be prescribed by the Statutes and the Ordinances.

15. The powers of officers of the University, other than the Chancellor, the Vice-Chancellor, the Treasurer and the Registrar shall be prescribed by the Statutes and the Ordinances.

Authorities of the University.

16. The following shall be the authorities of the University :—

- 1. The Court,

- II. The Executive Council,
- III. The Academic Council,
- IV. The Faculties, and
- V. Such other authorities as may be declared by the Statutes to be authorities of the University.

17. (1) The Court shall consist of the following persons, namely :—

The Court.

Class I.—Ex-officio members.

- (i) The Chancellor,
- (ii) the Vice-Chancellor,
- (iii) the Treasurer,
- (iv) the Registrar,
- (v) the Provosts and Wardens,
- (vi) the Professors and Readers,
- (vii) the Directors of Public Instruction in Bengal and Assam, and
- (viii) such other *ex-officio* members as may be prescribed by the Statutes.

Class II.—Other members.

- (ix) Donors to the University of amounts to be prescribed by the Statutes,
- (x) graduates of the University elected by the registered graduates from among their own body,
- (xi) persons elected by members of the Academic Council from among the teachers of the University,
- (xii) persons appointed by the Chancellor,
- (xiii) persons appointed by the Chief Commissioner of Assam whose number shall be determined by the Chancellor, and
- (xiv) persons (if any) appointed by the Chancellor to be life members on the ground that they have rendered great services to education.

(2) The number of members to be elected or appointed under clauses (x), (xi) and (xii), and the tenure of office of donors under clause (ix) and of members to be elected or appointed under clauses (x), (xi), (xii) and (xiii) of sub-section (1) shall be prescribed by the Statutes, and the mode of election of members to be elected under clause (x) of sub-section (1) shall be prescribed by the Ordinances.

18. (1) The Court shall, on a date to be fixed by the Vice-Chancellor, meet once a year at a meeting to be called the annual meeting of the Court.

(2) The Vice-Chancellor may, whenever he thinks fit, and shall, upon a requisition in writing signed by not less than forty members of the Court, convene a special meeting of the Court.

19. The Court shall exercise such powers and perform such duties as may be conferred or imposed upon it by this Act or the Statutes.

20. The Executive Council shall be the executive body of the University, and its constitution and the terms of office of its members, other than *ex-officio*

members, shall be prescribed by the Statutes. The Statutes shall provide that at least one member of the Executive Council shall be elected by the Court.

21. The Executive Council—

Powers and duties of the Executive Council.

- (a) shall hold, control and administer the property and funds of the University, and for these purposes shall appoint from among its own members a Finance Committee to advise it on matters of finance. The Treasurer shall be Chairman of the Finance Committee, and at least one member of the Committee shall be a member elected to the Executive Council by the Court;
 - (b) shall direct the form, custody and use of the Common Seal of the University;
 - (c) shall, subject to the powers conferred by this Act on the Vice-Chancellor, regulate and determine all matters concerning the University, in accordance with this Act, the Statutes and the Ordinances;
- Provided that no action shall be taken by the Executive Council in respect of the fees paid to examiners and the emoluments of teachers otherwise than on the recommendation of the Academic Council;
- (d) shall lay before the Local Government annually a full statement of all the requests received by it for financial assistance from any institution associated with the University, together with its views thereon;
 - (e) shall administer any funds placed at the disposal of the University for specific purposes;
 - (f) save as otherwise provided by this Act or the Statutes, shall appoint, and shall have power to suspend and dismiss the officers (other than the Chancellor, the Vice-Chancellor and the Treasurer), teachers and servants of the University, and shall define their duties and the conditions of their service, and shall provide for the filling of temporary vacancies in their posts;
 - (g) shall have power to accept transfers of any moveable or immoveable property on behalf of the University;
 - (h) shall publish the results of the University examinations;
 - (i) shall exercise such other powers and perform such other duties as may be conferred or imposed on it by this Act or the Statutes; and
 - (j) shall exercise all other powers of the University not otherwise provided for by this Act or the Statutes.

22. The Academic Council shall be the academic body of the University, and shall, subject to the provisions of this Act, the Statutes and the Ordinances, have the control and general regulation, and be respon-

sible for the maintenance of standards of instruction and education within the University, and shall exercise such other powers and perform such other duties as may be conferred or imposed upon it by the Statutes. It shall have the right to advise the Executive Council on all academic matters. The constitution of the Academic Council and the term of office of its members, other than *ex-officio* members, shall be prescribed by the Statutes.

23. (1) The University shall include the Faculties of Arts, Science and Law and such other Faculties (whether formed by the sub-division or combination of an existing Faculty or Faculties or by the creation of a new Faculty or otherwise) as may be prescribed by the Statutes. Each Faculty shall, subject to the control of the Academic Council, have charge of the teaching and the courses of study and the research work in such subjects as may be assigned to such Faculty by the Ordinances.

(2) The constitution and powers of the Faculties shall be prescribed by the Statutes.

(3) There shall be a Dean of each Faculty who shall be elected in the manner laid down in subsection (5), and shall be responsible for the due observance of the Statutes, Ordinances and Regulations relating to the Faculty.

(4) Each Faculty shall comprise such Departments of teaching as may be prescribed by the Ordinances. The head of every such Department shall be the Professor of the Department or, if there is no Professor, the Reader. If there is more than one Professor or more than one Reader of a Department, as the case may be, the Vice-Chancellor shall appoint such Professor or Reader to be head of the Department as he thinks fit. The head of the Department shall be responsible to the Dean for the organisation of the teaching in that Department.

(5) The Dean of a Faculty shall be elected by the Faculty from among the heads of Departments of the Faculty. Such election shall be subject to the confirmation of the Academic Council. The Dean shall receive in respect of his duties as Dean such additional remuneration as shall be fixed by the Executive Council, and shall hold office as Dean for such time as may be prescribed by the Statutes.

24. The constitution, powers and duties of such other authorities of the University as may be declared by the Statutes to be authorities of the University shall be provided for in the manner prescribed by the Statutes.

University Boards.

25. The University shall include the Muhammadan Advisory Board, the Residence, Health and Discipline Board, and such other Boards as may be prescribed by the Statutes.

26. (1) The constitution of the Muhammadan Advisory Board shall be prescribed by the Statutes.

(2) The Board shall concern itself with Muhammadan interests in the University, and shall be entitled to address any officer, authority or other

body of the University appointed or constituted by or under this Act, in regard to any matter affecting Muhammadan interests, and shall discharge such functions as may be assigned to it by the Statutes or the Ordinances.

27. The constitution, powers and duties of the Residence, Health and Discipline Board, and, save as provided in section 26, of all other Boards of the University, shall be prescribed by the Ordinances.

Statutes, Ordinances and Regulations.

28. Subject to the provisions of this Act, the Statutes may provide for all or any of the following matters, namely:—

- (a) the conferment of honorary degrees;
- (b) the institution of Fellowships, Scholarships, Exhibitions and Prizes;
- (c) the term of office and conditions of service of the Vice-Chancellor;
- (d) the designations and powers of the officers of the University;
- (e) the constitution, powers and duties of the Court, the Executive Council, the Academic Council, the Faculties and the Muhammadan Advisory Board;
- (f) the powers and duties of the University Boards, and the mode of appointment thereto;
- (g) the institution and maintenance of Halls and the management of Hostels;
- (h) the mode of appointment of the Professors and Readers of the University;
- (i) the constitution of a pension or provident fund for the benefit of the officers, teachers and servants of the University;
- (j) the maintenance of a register of registered graduates; and
- (k) all matters which by this Act are to be or may be prescribed by the Statutes.

29. (1) The first Statutes shall be those set out in the Schedule.

(2) The Statutes may be amended or repealed and new or additional Statutes may be made by the Court in the manner hereinafter appearing;

(3) The Executive Council may propose to the Court the draft of any Statute to be passed by the Court. Such draft shall be considered by the Court at its next meeting. The Court may approve such draft and pass the Statute, or may reject it or refer it back to the Executive Council for further consideration.

(4) Where any Statute has been passed by the Court, it shall be submitted to the Chancellor who may assent thereto or withhold his assent, or refer the Statute back to the Court for further consideration. A Statute passed by the Court shall have no validity until it has been assented to by the Chancellor.

(5) The Executive Council shall not propose the draft of any Statute or of any amendment of a Statute affecting the status, powers or constitution of any authority of the University until

such authority has been given an opportunity of expressing an opinion upon the proposal. Any opinion so expressed shall be in writing and shall be considered by the Court, and shall be submitted to the Chancellor.

30. Subject to the provisions of this Act and the Statutes, the Ordinances may provide for all or any of the following matters, namely:—

- (a) the courses of study to be laid down for all degrees and diplomas of the University;
- (b) the conditions under which students shall be admitted to the degree or diploma courses and to the examinations of the University, and shall be eligible for degrees and diplomas;
- (c) the admission of students to the University;
- (d) the conditions of residence of the students of the University, the levying of fees for residence in Halls, and the licensing of Hostels;
- (e) the fees to be charged for courses of study in the University and for admission to the examinations, degrees and diplomas of the University;
- (f) the giving of religious instruction;
- (g) the formation of Departments of teaching in the Faculties;
- (h) the conduct of examinations; and
- (i) all matters which by this Act or the Statutes are to be or may be provided for by the Ordinances.

31. (1) Ordinances shall be made by the Executive Council:

Provided that no Ordinance shall be made—

- (a) affecting the admission of students, or prescribing examinations to be recognised as equivalent to University examinations or the further qualifications mentioned in sub-section (2) of section 36 for admission to the degree courses of the University unless a draft of the same has been proposed by the Academic Council, or
- (b) affecting the conduct or standard of examinations or any course of study except in accordance with a proposal of the Faculty or Faculties concerned, and unless a draft of such Ordinance has been proposed by the Academic Council, or
- (c) affecting the conditions of residence of students except after consultation with the Residence, Health and Discipline Board.

(2) The Executive Council shall not have power to amend any draft proposed by the Academic Council under sub-section (1), but may remit the same to the Academic Council for further consideration.

(3) All Ordinances made by the Executive Council shall be submitted as soon as may be to the Chancellor and the Court, and shall be considered by the Court at its next meeting. The Court shall have power, by a resolution passed

by a majority of not less than two-thirds members voting, to cancel any Ordinance such Ordinance shall, from the date of resolution, be void.

(4) The Chancellor may, at any time after an Ordinance has been considered by the Court, refer it to the Executive Council his disallowance of such Ordinance, and from the date of resolution of the Executive Council of intimation of such disallowance, such Ordinance shall become void.

(5) The Chancellor may direct that the operation of any Ordinance shall be suspended if he has had an opportunity of exercising his power of disallowance. An order of suspension under this sub-section shall cease to have effect on the expiration of one month from the date of such order, or on the expiration of fifteen days from the date of the consideration of the Ordinance by the Court, whichever period expires later.

32. (1) The authorities and the Board of Regulations of the University may make Regulations consistent with this Act, the Statutes and the Ordinances—

- (a) laying down the procedure to be followed at their meetings and the number of members required to form a quorum;
- (b) providing for all matters which are not provided for by this Act, the Statutes or the Ordinances to be prescribed by Regulations;
- (c) providing for all other matters concerning such authorities and Boards not provided for by this Act, the Statutes and the Ordinances.

(2) Every authority of the University shall make Regulations providing for the giving of notice to the members of such authority of the dates of meetings and of the business to be considered at meetings, and for the keeping of a record of the proceedings of meetings.

(3) The Executive Council may direct the amendment in such manner as it may see fit of any Regulation made under this section, and the annulment of any Regulation made under this section (1):

Provided that any authority or Board of the University which is dissatisfied with a decision in the matter shall be final.

Residence, Halls and Hostels.

33. Every student of the University shall reside in a Hall or under such conditions as may be prescribed by the Ordinances.

Provided that every student not residing in a Hall or Hostel shall be attached to a Hostel for tutorial help and discipline, and for such other purposes as may be prescribed by the Ordinances.

34. The Halls of the University shall be—

- (a) the Dacca Hall,
- (b) the Muhammadan Hall,
- (c) such other Halls as may be prescribed by the Statutes.

sible for) The Hostels shall be such as may hereafter be approved and licensed by the Executive Council on such general or special conditions as the President may prescribe by the Ordinances.

The Warden and superintending staffs of the Hostels shall be appointed in the manner prescribed by the Ordinances.

Statutes. The conditions of residence in Hostels shall be prescribed by the Ordinances, and every Hostel shall be subject to inspection by any member of the Executive Council.

23. The President, Health and Discipline Board (whether constituted in this behalf by the Board and by any other authority authorised in this behalf by the Executive Council).

The Executive Council shall have power to subject or withdraw the license of any Hostel which has not been conducted in accordance with the conditions prescribed by the Ordinances.

may be *Admission and Examinations.*

(1) Admission of students to the University shall be made by an admission committee appointed for that purpose by the Academic Council.

(2) Students shall not be eligible for admission to the University for a degree unless they have passed the Intermediate Examination of an

(4) A University incorporated by any law for the time being in force, or an examination recognised by the Ordinances with the provisions of this section as to the admission thereto, and possess such further qualifications, if this as may be prescribed by the Ordinances.

is more the conditions under which students may be admitted to the diploma courses of the University prescribed by the Ordinances.

fit. The University shall not, save with the previous sanction of the Governor General in Council, confer any degree or diploma (for the purposes of admission to the University) as equivalent to the

(5) Use of study for a degree) as equivalent to the degree conferred by any other authority or as equivalent to the Intermediate Examination of an Indian University any examination conducted by any other authority.

such add (1) All arrangements for the conduct of the examinations shall be made, and all examiners shall be appointed by the Academic Council in such manner as may be prescribed by this Act and the Ordinances.

24. The President, during the course of an examination, shall be authorised to appoint an examiner in the event of any cause incapable of acting as an examiner. The Vice-Chancellor shall appoint an examiner to fill the vacancy.

25. The University shall be appointed for each sub-division in a Department of teaching and discipline Board, part of the course which is required for a degree.

26. (1) The Executive Council shall, after consulting the Academic Council, appoint examination committees, consisting of members of its own body or of other persons, or of both, as it thinks fit. The examination results to the Executive Council.

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Annual Report and Accounts.

38. The annual report of the University shall be prepared under the direction of the Executive Council, and shall be submitted to the Court on or before such date as may be prescribed by the Statutes, and shall be considered by the Court at its annual meeting. The Court may pass resolutions thereon and communicate the same to the Executive Council which shall take such resolutions into consideration.

39. (1) The annual accounts and balance sheet of the University shall be prepared under the direction of the Executive Council, and shall be submitted to the Local Government for the purposes of audit.

(2) The accounts when audited shall be published in the Gazette of India and shall, together with the audit report, if any, be submitted to the Court and to the Governor General in Council. The Executive Council shall also submit to the Court, on or before such date as may be prescribed by the Statutes, a statement of the financial estimates for the ensuing year.

(3) The annual accounts and the financial estimates shall be considered by the Court at its annual meeting, and the Court may pass resolutions thereon and communicate the same to the Executive Council which shall take such resolutions into consideration.

Supplementary Provisions.

40. The Chancellor shall, with the concurrence of not less than two-thirds of the members of the Executive Council for the time being in India, have power to remove any person from membership of the University or of any of its authorities or other bodies.

41. If any question arises whether any person has been duly elected or appointed as, or is entitled to be, a member of the University or of any authority or other body of the University, the matter shall be referred to the Chancellor whose decision thereon shall be final.

42. Where any authority of the University is given power by this Act or the Statutes to appoint committees, such committees shall, unless otherwise provided, consist of members of the authority concerned and of such other persons (if any) as the authority in each case may think fit.

43. All casual vacancies among the members (other than *ex-officio* members) of any authority or other body of the University shall be filled as soon as conveniently may be by the person or body who appointed, elected or co-opted the member whose place has become vacant, and the person appointed, elected or co-opted to a casual vacancy shall be a member of such authority or body for the residue of the term for which the person whose place he fills would have been a member.

44. No act or proceeding of any authority or other body of the University shall be invalidated merely by reason of the existence of a vacancy or vacancies among its members.

45. (1) Every salaried officer and teacher of the University shall be appointed on a written contract. The contract shall be lodged with the Registrar of the University, and a copy thereof shall be furnished to the officer or teacher concerned.

(2) Any member of the public services in India whom it is proposed to appoint to a post in the University shall, subject to the approval of such appointment by the Government, have the option—

- (i) of remaining in the service of the Government during the whole period or such portion thereof as may be fixed of his employment by the University, or
- (ii) of having his services lent to the University and remaining liable to recall to Government service at the discretion of the Government, or
- (iii) of resigning Government service on entering the service of the University.

46. Any dispute arising out of a contract between the University and any officer or teacher of the University shall, on the request of the officer or teacher concerned, be referred to a Tribunal of Arbitration consisting of one member appointed by the Executive Council, one member nominated by the officer or teacher concerned, and an umpire appointed by the Chancellor. The decision of the Tribunal shall be final, and no suit shall lie in any Civil Court in respect of the matters decided by the Tribunal. Every such arbitration shall be subject to the provisions of the Indian Arbitration Act, 1899, so far as the same may be applicable thereto.

IX of 1899.

47. (1) The University shall constitute for the Pension or pro- benefit of its officers, teachers and servants a pension or provident fund in such manner and subject to such conditions as may be prescribed by the Statutes.

IX of 1897.

(2) Where such a pension or provident fund has been so constituted, the Governor General in Council may, notwithstanding anything contained in the Provident Funds Act, 1897, by notification in the Gazette of India, declare that the provisions of the said Act shall apply to such fund as if it were a Government Provident Fund.

48. Save as otherwise provided in this Act, the powers of the University conferred by or under this Act shall not extend beyond a radius of five miles from the Convocation Hall of the University. Notwithstanding anything in any other law for the time being in force, no educational institution beyond that limit shall, save with the previous sanction of the Governor General in Council, be associated with or admitted to any privileges of the University, and no educational institution within that limit shall, save with the like sanction, be associated in any way with or be admitted to any privileges of any other University, and any such privileges granted by any other University

to any educational institution within that limit prior to the commencement of this Act shall be deemed to be withdrawn on the commencement of this Act.

Provided that the Jagannath College in the town of Dacca may retain its connection with the University of Calcutta for three years from the commencement of this Act unless the Chancellor shall direct that such connection shall cease earlier:

Provided further that it shall be lawful for the Faculty of Law to assemble at Calcutta whenever, in the opinion of the Vice-Chancellor, such a course is necessary.

Transitory Provisions.

49. Notwithstanding anything contained in this Act or the Ordinances, any student of the Dacca College, the Dacca Law College, the Dacca Training College or the Jagannath College at Dacca who, on the commencement of this Act, is studying for any examination of the Calcutta University higher than the Intermediate Examination shall be permitted to complete his course in preparation therefor, and the University shall provide for such students instruction and examinations in accordance with the Prospectus of Studies of the Calcutta University.

50. The first Vice-Chancellor may be appointed at any time after the passing of this Act. Such appointment shall, notwithstanding anything contained in sub-section (1) of section 11, be made by the Governor General in Council for such period and on such conditions as he thinks fit.

51. (1) At any time after the passing of this Act and until such time as the authorities of the University shall have been duly constituted—

- (a) the Treasurer may be appointed by the Governor of Bengal;
- (b) any other officers of the University may be appointed by the Vice-Chancellor with the previous sanction of the Governor of Bengal;
- (c) teachers of the University shall be appointed by the Governor of Bengal after considering the recommendations of an Advisory Committee consisting of the Vice-Chancellor, the Director of Public Instruction, Bengal, and such other person or persons, if any, as the Governor of Bengal thinks fit to associate with them.

(2) Any appointment made under sub-section (1) shall be for such period and on such conditions as the appointing authority thinks fit:

Provided that no such appointment shall be made until financial provision has been made therefor by the Local Government or otherwise.

52. At any time after the passing of this Act, the Vice-Chancellor may, with the previous approval of the Chancellor and subject to the provision of funds by the Local Government or otherwise, take such action consistent so far as may be with the provisions of this Act and the Statutes as he may think necessary for the

purpose of bringing the University into being and for that purpose may exercise any power which by this Act or the Statutes is to be conferred on any officer or authority of the University.

THE SCHEDULE.

THE FIRST STATUTES OF THE UNIVERSITY.

[See section 29 (1).]

1. In these Statutes, unless there is anything repugnant in the subject or context—

(a) "the Act" means the Dacca University Act, 19, and "section" means a section of the Act; and

(b) "officers," "authorities," "Professors," "Readers," "Lecturers," "teachers," "servants" and "registered graduates" mean respectively officers, authorities, Professors, Readers, Lecturers, teachers, servants and registered graduates of the University.

2. (1) In addition to the officers mentioned in Constitution of the sub-section (1) of section 17, Court. the following persons shall be *ex-officio* members of the Court, namely:—

(i) the members of the Executive Council of the Governor of Bengal;

(ii) the Vice-Chancellor of the University of Calcutta;

(iii) the Commissioner, the Collector and the District and Sessions Judge of Dacca;

(iv) the Director of Agriculture for Bengal;

(v) the Civil Surgeon of Dacca;

(vi) the Superintending Engineer, Eastern Circle, Bengal;

(vii) the Chairman of the Dacca Municipality;

(viii) the Inspector of Schools of the Dacca Division;

(ix) the Inspectress of Girls' Schools for the Dacca Circle;

(x) the Proctor of the University;

(xi) the Librarian of the University; and

(xii) the Principals of the Dacca Medical School, the Dacca Madrasah, the Calcutta Madrasah, the Chittagong Madrasah, the Rajshahi Madrasah, the Eden High School, and of all educational institutions in the Dacca Division which prepare students for admission to the degree courses of a University.

(2) (a) Every person making a donation of fifty thousand rupees or upwards or transferring property of the like value to the University shall be a life member of the Court from the date of the donation being actually made or of the transfer being executed.

(b) Every person making a donation of ten thousand rupees or upwards or transferring property of the like value to the University shall be a member of the Court for a period of five years

from the date of the donation being actually made or of the transfer being executed.

(3) The number of graduates to be elected as members of the Court by the registered graduates from among their own body shall be thirty, of whom fifteen shall be Muhammadan graduates elected by the registered Muhammadan graduates.

(4) The number of teachers to be elected as members of the Court by the Academic Council shall be five.

(5) The number of persons to be appointed by the Chancellor under clause (xii) of sub-section (1) of section 17 shall be forty:

Provided that the Chancellor shall in making such appointments secure that, as far as possible, fifty per cent. of the non-European members of the Court shall be Muhammadans.

(6) Save as otherwise provided members of the Court other than *ex-officio* members shall hold office for a period of three years:

Provided that members elected by the Academic Council shall hold office so long only within the said period as they continue to be teachers.

3. (1) The members of the Executive Council, in Constitution of the addition to the Vice-Chancellor and the Treasurer shall be—

Class I.—*Ex-officio* members.

(i) The Commissioner of the Dacca Division;

(ii) the Deans of the Faculties.

Class II.—*Other* members.

(iv) Four persons appointed by the Chancellor, of whom two shall be Muhammadans, and one at least of these two shall be a teacher;

(v) two members of the Court elected by the Court at its annual meeting;

(v) two members of the Court elected by the Muhammadan members thereof at its annual meeting; and

(vi) two members of the Academic Council elected by the Academic Council;

(2) The Executive Council so constituted shall co-opt as members one Provost and one Warden.

(3) Members other than *ex-officio* members shall hold office for a period of three years:

Provided that members elected by any body of persons from among their own number shall hold office so long only within the said period as they continue to be members of the body which elected them.

4. Subject to the provisions of the Act, the Powers of the Executive Council shall have the following powers, namely:—

(a) to institute, at its discretion, such Professorships, Readerships, Lectureships or other teaching posts as may be proposed by the Academic Council;

(b) to abolish or suspend, after report from the Academic Council thereon, any Professorship, Readership, Lectureship or other teaching post;

- (c) to appoint, in accordance with the Statutes, teachers, officers and servants;
- (d) to delegate, subject to such conditions as may be prescribed by Regulations made by the Executive Council, its power to appoint teachers, officers and servants to such person or authority as the Executive Council may determine;
- (e) to manage and regulate the finances, accounts, investments, property and all administrative affairs whatsoever of the University, and for that purpose to appoint such agents as it may think fit;
- (f) to accept bequests, donations and transfers of property to the University:
Provided that all such bequests, donations and transfers shall be reported to the Court at its next meeting;
- (g) to provide the buildings, premises, furniture, apparatus, equipment and other means needed for carrying on the work of the University;
- (h) after report from the Finance Committee, to enter into, vary, carry out and cancel contracts on behalf of the University; and
- (i) to invest any monies belonging to the University, including any unapplied income, in any of the securities described in section 20 of the Indian Trusts Act, 1882, or in the purchase of immoveable property in India, with the like power of varying such investments; or to place on fixed deposit in any bank approved in this behalf by the Local Government any portion of such monies not required for immediate expenditure.

5. (1) The members of the Academic Council, in addition to the Vice-Chancellor, shall be—

Class I—Ex-officio members.

- (i) The Deans of the Faculties;
- (ii) the Librarian of the University;
- (iii) the Professors; and
- (iv) the Provosts.

Class II.—Other members.

- (v) Two Wardens nominated by the Vice-Chancellor; and
 - (vi) persons, if any, not exceeding three in number and not being teachers, appointed by the Chancellor, on account of their possessing expert knowledge in such subjects of study as may be selected by the Academic Council as constituted under heads (i) to (v).
- (2) The Academic Council as constituted under sub-clause (1) shall co-opt as members three Readers and two Lecturers.
- (3) The Academic Council as constituted under sub-clauses (1) and (2) shall co-opt as members teachers not exceeding one-tenth of its numbers as so constituted;

Provided that so long as one-fourth of the total members, including teachers co-opted under

this sub-clause, are not Muhammadans, any teacher so co-opted shall be a Muhammadan.

(4) Members other than *ex-officio* members shall hold office for a period of three years:

Provided that Readers, Lecturers or teachers co-opted as such shall hold office so long only within the said period as they continue to be Readers, Lecturers or teachers, respectively.

6. The Academic Council shall have the Powers of the Academic Council following powers, namely:—

- (a) to make proposals to the Executive Council for the institution of Professorships, Readerships, Lectureships or other teaching posts, and in regard to the duties and emoluments thereof;
- (b) to make Regulations for and to award in accordance with such Regulations Scholarships, Exhibitions, bursaries, medals and other rewards;
- (c) to appoint examiners after report from the Faculties concerned;
- (d) to control and manage the University Library or Libraries, to frame Regulations regarding their use, and to appoint a Library Committee under the general control of the Academic Council to manage the affairs of the Library;
- (e) to formulate, modify or revise, subject to the control of the Executive Council, schemes for the constitution or reconstitution of Faculties and for the assignment of subjects to such Faculties;
- (f) to assign teachers to the Faculties;
- (g) to promote research within the University and to require reports on such research from the persons employed thereon; and
- (h) to maintain a register of registered graduates in accordance with the Statutes.

7. (1) Each Faculty shall consist of—

The Faculties.

- (i) the Professors of the Departments comprised in the Faculty,
- (ii) such teachers of subjects assigned to the Faculty as may be appointed to the Faculty by the Academic Council,
- (iii) such teachers of subjects not assigned to the Faculty but having in the opinion of the Academic Council an important bearing on those subjects as may be appointed to the Faculty by the Academic Council, and
- (iv) such other persons as may be appointed to the Faculty by the Academic Council on account of their possessing expert knowledge in a subject or subjects assigned to the Faculty.

(2) The total number of members shall not exceed in the case of the Faculties of Arts and Science thirty, and in the case of other Faculties

fifteen, except with the sanction of the Chancellor given on the request of the Academic Council.

8. Subject to the provisions of the Act, each Faculty shall have the following powers, namely:—

- (a) to constitute Committees of Courses and Studies;
- (b) to recommend to the Academic Council after consulting the Committees of Courses and Studies, the names of examiners in subjects assigned to the Faculty.

9. There shall be a Board of Co-ordination composed of the Vice-Chancellor, who shall be Chairman thereof, the Deans of the Faculties and the Registrar, to organise the teaching of the University and in particular to co-ordinate the work and time-tables of the various Faculties, and to assign lecture rooms, laboratories and other rooms to the Faculties.

10. (1) The Dean of each Faculty shall be the executive officer of the Faculty, and shall preside at its meetings. He shall hold office for three years.

(2) He shall issue the lecture lists of the University in the Departments comprised in the Faculty, and shall be responsible for the conduct of teaching therein.

(3) He shall have the right to be present and to speak at any meeting of any committee of the Faculty, but not to vote unless he is a member of the committee.

11. The Muhammadan Advisory Board shall consist of—

- (a) seven members appointed by the Chancellor from among the Muhammadan members of the Court, of whom at least three shall be teachers,
- (b) two members co-opted by the members appointed under sub-clause (a).

12. (1) Each Hostel shall be managed by a committee of management approved by the Executive Council.

(2) The Warden and the superintending staff of a Hostel shall be appointed by the committee of management thereof, subject to the approval of the Executive Council.

13. The Court may, on the recommendation of the Executive Council, withdraw any degree or diploma conferred by the University.

14. (1) All proposals for the conferment of honorary degrees shall be made by the Academic Council to the Executive Council, and shall require the assent of the Court before submission to the Chancellor for confirmation:

Provided that in cases of urgency the Chancellor may act on the recommendation of the Executive Council only.

(2) Any honorary degree conferred by the University may, with the previous approval of the Court and the sanction of the Chancellor, be withdrawn by the Executive Council.

15. The following persons shall, on payment of such fees as may be prescribed by the Statutes, be entitled to have their names enrolled in the register of registered graduates and to enjoy all the privileges of registration, namely:—

- (a) within five years after the Act comes into force all students who have graduated at any time from the Dacca College, the Jagannath College at Dacca, the Dacca Law College or the Dacca Training College and apply to the University to be granted *ad eundem* degrees of the University; and
- (b) all graduates of the University of three years' standing and upwards.

16. There shall be the following officers who shall be appointed by the Executive Council, namely:—

- (i) a Proctor for the maintenance of the general discipline of the University, to whom the Vice-Chancellor may delegate such of his disciplinary powers as he may think fit; and
- (ii) a Librarian for the University Library.

17. (1) Subject to the provisions of clause (e) of sub-section (1) of section 51 and of clause 18, appointments to Professorships and Readerships shall be made on the nomination of committees of selection constituted for the purpose as follows, namely:—

- (i) the Vice-Chancellor;
- (ii) one member of the Executive Council selected by the Executive Council;
- (iii) two members of the Academic Council selected by the Academic Council on the ground of their special knowledge or interest in the subject or subjects with which the Professor or Reader, as the case may be, will be concerned;
- (iv) an officer of the Local Government appointed by the Local Government; and
- (v) three persons (other than officers and teachers) appointed by the Chancellor:

Provided that should a committee so constituted not include both a Hindu and a Muhammadan member, the Chancellor shall nominate an additional Hindu or Muhammadan member or both, as the case may be.

(2) Committees of selection appointed under sub-clause (1) shall report to the Executive Council which shall, if it accepts the nomination of the committee, make the appointment to the post accordingly. If the Executive Council does not accept the nomination of the committee, it shall refer the case to the Chancellor, who shall make such appointment as he thinks fit.

18. (1) Of the Professorships and Readerships not less than one-third shall be filled in one or other of the following manners, namely:—

- (a) on the nomination of committees of selection constituted for the purpose in the United Kingdom, or
- (b) if, in the opinion of the Secretary of State for India, exceptional circumstances justify such a course, by appointment by the Secretary of State for India.

(2) The committees of selection referred to in sub-clause (1) (a) shall be constituted as follows, namely:—

- (i) two members resident in the United Kingdom appointed by the Academic Council, and
- (ii) three members resident in the United Kingdom appointed by the Secretary of State for India.

(3) The Executive Council shall consider the report of a committee of selection constituted under sub-clause (2), and shall, if it accepts the nomination of the committee, make the appointment to the post accordingly. If the Executive Council does not accept the nomination of the committee, it shall refer the case to the Chancellor, who may either appoint the person nominated by the committee or refer the case to the Secretary of State for India, and in such case the Secretary of State for India shall make such appointment as he thinks fit.

(4) Nothing in this clause shall apply to appointments made by the Chancellor under clause (c) of sub-section (1) of section 51.

19. Appointments to teaching posts other than Appointment of Professorships and Readerships and other ships shall, subject to the provisions of the Act and the Statutes, be made in the manner prescribed by the Ordinances.

STATEMENT OF OBJECTS AND REASONS.

The object of this Bill is the establishment and incorporation of a unitary teaching and residential University at Dacca. The scheme has been before the public at various times from 1912 onwards. The Government of India had on several occasions given pledges regarding the foundation of this University. The proposals made by a committee, which discussed the question in 1912, have been modified in certain important respects in the recommendations of the Calcutta University Commission. The provisions of the Bill generally follow the recommendations of the Calcutta University Commission. Certain additions have been made where the recommendations require supplementary provisions and a few modifications figure in the Bill, which however do not interfere with the general idea expressed in the Commission's report.

2. The University which is contemplated will not affiliate colleges, but will be a unitary institution. The teaching will be under the control of the University. But existing institutions and the various bodies which may be expected to desire to participate in the activities of the University will be represented by Halls and Hostels in which students will reside and receive tuitional assistance.

3. The University will be constituted as follows. The Governor General will be the Visitor. The Governor of Bengal will be the Chancellor. The Vice-Chancellor will be appointed by the Chancellor. The main governing bodies will be a large representative Court, whose functions will, for the most part, be legislative and supervisory; an Executive Council which will administer the affairs of the University; and an Academic Council, assisted by Faculties, which will be entrusted with the general regulation of instruction within the University. The creation of Boards (among which the Muhammadan Advisory Board may specially be mentioned) and of committees is contemplated.

4. A special feature of the University, in which the present scheme essentially differs from that framed in 1912, is the proposal that the officers and teachers of the University will be employed not by Government but by the University itself, although provision is made for the appointment by the University on certain conditions of members of the public services in India to posts in the University. The University will constitute a pension or provident fund for the benefit of its employees. The method of appointment is shown in detail in the Statutes. With the exception of the first appointments, vacancies will be filled by the Executive Council, the selection being made in the case of Professors and Readers on the nomination of committees of selection, and in the case of other teachers in a manner to be prescribed by Ordinance. These committees will ordinarily sit in India. But, for the selection of such Professors and Readers as should possess Western qualifications, candidates will be considered by committees of selection sitting in the United Kingdom, or in exceptional circumstances appointments may be made by the Secretary of State for India.

5. It has been thought advisable to retain in the case of this University the system of territorial jurisdiction, which was introduced as regards Indian Universities by the legislation of 1904. In this respect a departure has been made from the proposals of the Commission, but with such provisos as to carry out the intentions of the Commission.

6. Admission to the University will be open to those who have passed the Intermediate examination of an Indian University or an examination recognised as equivalent thereto.

This proposal carries out one of the main recommendations of the Commission, namely, that University teaching should be confined to those students who have already completed the intermediate stage. Pending further decisions upon the important recommendation of the Commission on the subject of a Board of Secondary and Intermediate Education, the Intermediate examinations of the University of Calcutta and of other Indian Universities incorporated by law will be accepted.

7. The first Statutes are scheduled to the Act. They deal mainly with the constitution and powers of the governing bodies; the method of appointment of teachers of the University and certain points, such as the management of Hostels, the withdrawal of degrees, the conferment of honorary degrees, and the registration of graduates. The scope of the Statutes as a whole is indicated in clause 28 of the Bill. In addition to Statutes, Ordinances will be framed by the Executive Council mainly on the proposal of the Academic Council. They will deal chiefly with academic matters. Questions of procedure, details of administration, etc., will be provided by Regulations. The Authorities and Boards of the University will be free to make their own Regulations subject to the Act, the Statutes and the Ordinances, and final veto or modification by the Executive Council, against whose decision, however, the Authority or Board may make an appeal. This arrangement, which is generally in accord with the proposals of the Commission, is intended to retain elasticity in the working of the University.

8. Transitory provisions arrange for students now studying for examinations of the Calcutta University higher than the Intermediate examination, for first appointments and for other matters necessary for bringing the machinery of the University into play.

9. Special provision is made for the Jagannath College, which may retain its connection with the University of Calcutta for three years from the commencement of the Act, unless the Chancellor otherwise directs. This will give time for any negotiation which may be necessary with a view to including this College as a Hall of the University.

SIMLA :

The 4th September, 1919. }

MUHAMMAD SHAFI.

H. M. SMITH,

Offg. Secretary to the Government of India.

The Calcutta Gazette.

PUBLISHED BY AUTHORITY.

WEDNESDAY, OCTOBER 8, 1919.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART VI.

Bills introduced in the Indian Legislative Council. Reports of Select Committees presented to the Council, and Bills published under Rule 23.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

The following Bill was introduced in the Indian Legislative Council on the 17th September, 1919:—

No. 30 of 1919.

A Bill further to amend the Workman's Breach of Contract Act, 1859.

WHEREAS it is expedient further to amend the Workman's Breach of Contract Act, 1859; it is hereby enacted as follows:—

1. This Act may be called the Workman's Breach of Contract (Amendment) Act, 1919.

2. (1) Section 1 of the Workman's Breach of Contract Act, 1859 (hereinafter referred to as the said Act), shall be re-numbered sub-section (1) of section 1.

(2) In the said section as re-numbered—

(a) after the words "an advance of money" the words "not exceeding three hundred rupees" shall be inserted; and

(b) the words "and the Magistrate shall thereupon issue" to the end of the section shall be omitted.

(3) To the said section as re-numbered the following sub-sections shall be added, namely:—

"(2) Such Magistrate shall at once examine the complainant on oath and may thereupon dismiss the complaint if in his opinion there is no sufficient ground for proceeding.

(3) If in the opinion of the Magistrate there is sufficient ground for proceeding, he shall issue a summons or warrant as he may think proper for bringing before him such artificer, workman or labourer, and shall hear and determine the case."

3. (1) For section 2 of the said Act the following sections shall be substituted, namely:—

"2. (1) If it shall be proved to the satisfaction of the Magistrate that such artificer, workman or labourer has received money in advance, not exceeding three hundred rupees, from the complainant on account of any such work, and has wilfully and without lawful or reasonable excuse neglected or refused to perform or get performed the same according to the terms of his contract, the Magistrate may in his discretion either order such artificer, workman or labourer to repay the money advanced or such part thereof as may be just and proper within such period and in such instalments, if any, as the Magistrate thinks fit, or order him to perform or get performed such work within such period not exceeding one year as the Magistrate may determine and otherwise according to the terms of the contract:

Provided that no such order shall be made unless the complaint was brought within three months of the neglect or refusal.

*Explanation:—*Where no time has been fixed for the performance of a contract, neglect may be presumed to have occurred on the expiry of such period as the Magistrate deems to be a reasonable time for the performance thereof.

(2) If such artificer, workman or labourer shall fail to comply with an order made under sub-section (1), the Magistrate may sentence him to imprisonment for a period not exceeding three months, or, if the order be for the repayment of a sum of money, for a period which may extend to three months or until repayment is made, whichever period is shorter :

Provided that, where any instalment has been ordered, no sentence of imprisonment exceeding one month shall be passed for default in payment of any one instalment, and the aggregate of such sentences shall not exceed three months.

(3) The Magistrate may from time to time extend the period for repayment of money advanced or for the performance of work, as the case may be, and may vary the instalments :

Provided that no order shall be made under this sub-section extending beyond one year from the date of the order under sub-section (1) the period within which the work is to be performed.

(4) No repayment of any money or order therefor shall deprive the complainant of any civil remedy whether for the recovery of any money advanced and remaining unpaid or otherwise, which he may have otherwise than under this Act.

2A. The Magistrate may in his discretion refuse to make an order under section 2 where in his opinion the contract in respect of a breach of which the complaint has been made was substantially unfair.

Inequitable contracts not to be enforced.

2B. (1) If in any proceedings under this Act Compensation in false the Magistrate is of opinion or frivolous and vexatious complaints. that the complaint was false to the knowledge of the complainant or was frivolous and vexatious, he may in his discretion call upon the complainant forthwith to show cause why he should not pay compensation to the person or persons complained against or to each or any of them.

(2) The Magistrate shall consider any cause which such complainant may show, and, if after so doing he is satisfied that the accusation was false to the knowledge of the complainant or was frivolous and vexatious, he may, for reasons to be recorded, direct that compensation not exceeding fifty rupees be paid by the complainant to the person or persons complained against or to each or any of them.

(3) Compensation for the payment of which an order is made under sub-section (2) shall be recoverable as if it were a fine, and the Magistrate may, by the order directing payment of the same, further order that in default of payment the complainant shall suffer simple imprisonment for a period which may extend to thirty days or until payment is made, whichever period is shorter."

4. In section 3 of the said Act for the words Amendment of sec- " to be imprisoned with tion 3 of Act XIII of hard labour " the words " to 1859. imprisonment " shall be substituted.

5. For section 4 of the said Act the following Substitution of new section shall be substituted, section for section 4 of namely :— Act XIII of 1859.

" 4. In this Act the word " contract " shall extend to all contracts within the meaning of the Indian Contract Act, 1872 : IX of 1872. Provided that nothing in this Act shall apply to contracts where, a period having been specified for performance, such period exceeds one year. "

STATEMENT OF OBJECTS AND REASONS.

The Workman's Breach of Contract Act, 1859 (XIII of 1859), is recognised to be in its present form unsuited in many respects to modern conditions, and has also been found capable of abuse by employers. It is proposed by this amending Bill to remedy these defects.

In the first place, the Bill fixes a period of limitation for a complaint at three months and confines the utilization by employers of the provisions of the Act to cases where the advance does not exceed three hundred rupees, and the time for performance of the contract, where a time is fixed, does not exceed one year. In all cases, whether a time is fixed or not the Magistrate may in his discretion refuse to put the Act into operation if he considers the terms of the contract are substantially unfair to the workman. Similarly, the Bill empowers the Magistrate to throw out a complaint after examining the complainant on oath and without compelling the appearance of the workman, if he thinks there is no ground for proceeding; and, by a provision analogous to that of section 250 of the Code of Criminal Procedure, 1898 (V of 1898), to award the workman compensation if the complaint was false or frivolous and vexatious.

Further, where a breach of contract has been proved, the Magistrate will have discretion to order either repayment of the advance or performance of the contract and will no longer be bound by the option of the complainant. He will also have power to allow time for repayment and to order payment by instalments and, if the order is for performance of the contract, to fix a time not exceeding one year therefor. Any such order may be varied at the discretion of the Magistrate, but not so as to extend the period fixed for performance of a contract beyond one year.

Finally, the Bill enables imprisonment of either description to be ordered as a punishment for a breach of contract. Under the existing law imprisonment must, if ordered, be rigorous.

The proviso to section 2 of the existing Act has been re-drafted to give effect more clearly to the intention.

SIMLA :

The 13th September, 1919.

W. H. VINCENT.

H. M. SMITH,

Offg. Secretary to the Government of India.

The Calcutta Gazette.

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PART VI.

Bills introduced in the Indian Legislative Council, Reports of Select Committees, presented to the Council, and Bills published under Rule 23.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

NOTIFICATION.

Simla, the 28th October 1919.

No. 96.—The Governor General has been pleased, under Rule 23 of the Rules for the Conduct of the Legislative Business of the Council of the Governor General, to order the publication in the *Gazette of India* and in the local official Gazettes in English, of the following Bill, together with the Statement of Objects and Reasons relating thereto, and the Bill and Statement of Objects and Reasons are accordingly hereby published for general information :—

BILL NO. 34 OF 1919.

A Bill to consolidate and amend the law relating to Government Securities.

WHEREAS it is expedient to consolidate and amend the law relating to Government securities; it is hereby enacted as follows:—

1. (1) This Act may be called the Indian Securities Act, 19 ; and

Short title and commencement.

(2) It shall come into force on the first day of April, 19 .

2. In this Act—

Definitions.

(a) "Government security" includes promissory notes, stock-certificates, bearer bonds and all other securities issued by the Governor General in Council or by any Local Government in respect of any loan contracted either before or after the passing of this Act, but does not include a currency-note; and

(b) "prescribed" means prescribed by rules made under this Act.

3. Save as otherwise provided in or under this Act, no notice of any trust in respect of any Government security shall be receivable by the Government:

Provided that an indorsement by an executor or administrator as such shall not be deemed to convey notice of any trust under a will, nor shall the Government be bound to inquire into the terms of any will, but it shall be entitled to treat such executor or administrator as full owner of the security.

4. (1) Notwithstanding anything in section 45 of the Indian Contract Act, 1872, when a Government security is payable to two or more persons jointly and either or any of them dies, the security shall be payable to the survivor or survivors of those persons. IX of 1872

(2) Nothing herein contained shall affect any claim which the representative of the deceased person may have against the survivor or survivors under or in respect of the security jointly payable to him or them and the deceased.

(3) This section shall apply whether the death of the person to whom the security was jointly payable occurred or occurs before or after this Act comes into force.

XXVI of 1881. 5. Notwithstanding anything in section 15 of the Negotiable Instruments Act, 1881, no indorsement of a Government security shall be valid unless made by the signature of the holder inscribed on the back of the security itself.

6. (1) In the case of any public office to which the Governor General in Council may, from time to time, by notification in the Gazette of India, declare this sub-section to apply, a Government security may be made or indorsed payable to or to the order of the holder for the time being of the office by the name of the office.

(2) When a Government security is made or indorsed as aforesaid, it shall be deemed to be transferred without any or further indorsement from each holder for the time being of the office to the succeeding holder for the time being of the office on and from the date on which the latter takes charge of the office.

(3) When the holder for the time being of the office indorses to a third party a Government security made or indorsed as aforesaid, he shall subscribe the indorsement with his name and the name of the office.

(4) A writing on a Government security now or heretofore standing in the name of the holder of a public office, whereby the security has been or was made or indorsed payable to or to the order of the holder of the office for the time being by the name of the office, shall not be deemed to be or to have been invalid by reason only of the security having been so made or indorsed.

(5) This section applies as well to an office of which there are two or more joint holders as to an office of which there is a single holder.

XXVI of 1881. 7. Notwithstanding anything in the Negotiable Instruments Act, 1881, the Governor General in Council may, in respect of any loan, issue to the ruler of any State in India Government securities in such form and subject to such conditions as to negotiability, succession and other matters as may be prescribed.

XXVI of 1881. 8. Notwithstanding anything in the Negotiable Instruments Act, 1881, a person shall not, by reason only of his having indorsed a Government security, be liable to pay any money due, either as principal or as interest, thereunder.

9. (1) The signature of the person authorized to sign Government securities on behalf of the Government may be printed, engraved or lithographed, or impressed by such other mechanical process as the Governor General in Council may direct, on the securities.

(2) A signature so printed, engraved, lithographed or otherwise impressed shall be as valid as if it

had been inscribed in the proper handwriting of the person so authorized.

Issue of duplicate, renewed, converted, consolidated or sub-divided securities.

10. (1) When a Government security is alleged to have been lost or destroyed either wholly or in part, and a person claims to be the person to whom but for the loss or destruction it would be payable, he may on application to the prescribed officer, and on producing proof to his satisfaction of the loss or destruction and of the justice of the claim and on payment of the prescribed fee, if any, obtain from him an order for—

- (a) the payment of interest in respect of the security said to be lost or destroyed pending the issue of a duplicate security; and
- (b) the issue of a duplicate security payable to the applicant.

(2) An order shall not be passed under sub-section (1) until after the issue of the prescribed notification of the loss or destruction and after the expiration of the prescribed period.

(3) A list of the securities in respect of which an order is passed under sub-section (1) shall be published in the prescribed manner.

11. (1) Subject to the provisions of section 12, a person claiming to be entitled to a Government promissory note may, on applying to the prescribed officer, and on satisfying him of the justice of his claim and delivering the promissory note receipted in the prescribed manner, and paying the prescribed fee, if any, obtain from such officer a renewed promissory note payable to him:

Provided that, when application is made for the renewal of a Government promissory note which appears to the prescribed officer to stand in the name of a deceased member of a joint Hindu family governed by the *Mitakshara* law, a renewed promissory note shall not be issued to the applicant unless he furnishes a certificate signed by such authority as may be prescribed after inquiry in the prescribed manner to the effect that the deceased belonged to an undivided Hindu family governed by the *Mitakshara* law, that the promissory note formed part of the joint property of the family, and that the applicant is the managing or sole surviving male member of the family:

Provided further that the issue of a renewed Government promissory note in such a case shall not affect any claim which any person claiming through the deceased person may have in respect of such promissory note against the applicant.

(2) The prescribed officer may, on the application of the holder of a bearer bond, on delivery of the bearer bond and on payment of the prescribed fee, if any, issue to the applicant a renewed bearer bond.

12. (1) Where there is a dispute as to the title to a Government promissory note in respect of which an application for renewal has been made, the prescribed officer may—

- (a) refuse to renew such note until the parties have obtained a decision as to title from a Court of competent jurisdiction, or

(b) after such inquiry as is hereinafter provided and consideration of the result thereof, declare by order in writing which of the parties is in his opinion entitled to such note and may, after the expiration of three months from the date of such declaration, renew the note in favour of such party in accordance with the provisions of section 11 unless within that period he has received notice that proceedings have been instituted by any person in a Court of competent jurisdiction for the purpose of establishing a title to such note.

(2) For the purpose of the inquiry referred to in sub-section (1), the prescribed officer may himself record, or may request the District Magistrate to record or to have recorded, the whole or any part of such evidence as the parties may produce. When such request has been made to the District Magistrate, such Magistrate may himself record or may direct any Magistrate of the first class subordinate to him to record the evidence, and shall forward a copy thereof to the prescribed officer.

Explanation.—For the purposes of this sub-section, the District Magistrate means, the District Magistrate having jurisdiction in the place where interest on the security is payable and, where interest is payable at a presidency-town or Rangoon, the Chief Presidency Magistrate, or at a place in a State in India, the Political Agent.

(3) The prescribed officer or any Magistrate acting under this section may, if he thinks fit, record evidence on oath.

13. (1) The prescribed officer may, on the leave of converted, application of a person claiming to be entitled to a Government security or securities, on being satisfied of the justice of the claim and on delivery of the security or securities receipted in the prescribed manner, and on payment of the prescribed fee, if any, convert, consolidate or sub-divide the security or securities.

(2) The conversion, consolidation or sub-division referred to in sub-section (1) may be into a security or securities of the same or different classes or of the same or different loans.

(3) No such conversion, consolidation or sub-division shall affect the rights of any other person to the security or securities so converted, consolidated or sub-divided, as against the person upon whose application such conversion, consolidation or sub-division was made.

Discharge.

14. On payment by or on behalf of the Discharge of bearer Government to the holder bonds, etc. of a bearer bond or other Government security payable to bearer of the amount expressed therein on or after the date when it becomes due, on renewal of a bearer bond under sub-section (2) of section 11, on renewal of a Government promissory note under section 12, or on conversion, consolidation or sub-division of a bearer bond under section 13, the Government shall be discharged in the same way and to the same extent as if such bearer bond, promissory note or other security were a promissory note payable to bearer:

Provided that, in the case of a Government promissory note renewed under section 12, nothing

in this section shall be deemed to bar a claim against the Government in respect of a security so renewed by any person who either had no notice of the proceedings under that section, or who claims through a person who had no such notice.

15. Save as provided in section 14, when a Discharge in case of duplicate security has been duplicate and renewed issued under section 10 or securities. a renewed security has been issued under section 11 or section 12 or a converted, consolidated or sub-divided security or securities has or have been issued under section 13, the Government shall be discharged from all liability in respect of the security or securities in place of which a duplicate, renewed, converted, consolidated or sub-divided security or securities has or have been issued—

(a) in the case of a duplicate security after the lapse of six years from the date of the publication under sub-section (3) of section 10 of the list in which the security is first mentioned, or from the date of the last payment of interest on the original security, whichever date is later;

(b) in the case of a renewed, converted, consolidated or sub-divided security after the lapse of six years, from the date of the issue thereof.

Summary procedure in certain cases.

16 (1) If within three months of the death of a person who was entitled to a Government security or securities (other than a security payable to bearer) the nominal or face value of which does not in the aggregate exceed five thousand rupees, probate of the will or letters of administration of the estate of such person or a certificate granted under the Succession Certificate Act, 1889, is not produced VII of 1889. to the prescribed officer, such officer may, after inquiry in the manner provided in sub-sections (2) and (3) of section 12, determine who is the person entitled to the security or securities or to administer the estate of the deceased, and may,

(a) in the case of any such security relating to a loan due for repayment, authorise payment of the amount due thereon to such person; and

(b) in the case of any such security relating to a loan not due for repayment, authorise, in the case of a promissory note, the renewal of such promissory note in favour of such person, or, in the case of stock, the registration of the name of such person in substitution for the name of the deceased.

Explanation.—Where a certificate has been granted under the Succession Certificate Act, VII of 1889, in respect of some only of the securities to which the deceased person was entitled, the provisions of this sub-section shall apply when the value of the remaining securities does not exceed five thousand rupees.

(2) Upon the payment or renewal of any promissory note in accordance with sub-section (1), the Government shall be discharged from all liability in respect of the note so paid or renewed; and any substitution of names made in accordance with clause (b) of sub-section (1) shall, for the

purposes of any claim against the Government, be deemed to have effected a valid transfer of the stock in respect of which it was made.

(3) Any creditor or claimant against the estate of the deceased may recover his debt or claim out of money paid to any person under sub-section (1) and remaining in his hands unadministered in the same manner and to the same extent as if the said person had obtained letters of administration of the estate of the deceased, and nothing in this section shall affect any claim of an executor or administrator or other representative of the deceased against such person other than a claim to recover amounts lawfully paid by him in due course of administration of the estate of the deceased.

17. Where a Government security stands in the name of or is held by a minor or a person who is insane and incapable of managing his affairs, the interest accruing thereon, or the capital sum payable in respect thereof on the maturity or discharge of the loan, shall be paid in such manner as may be prescribed, and on any payment being so made, the Government shall, notwithstanding any provision of any enactment to the contrary, be discharged from all liability in respect thereof.

Indemnity.
18. Notwithstanding anything in sections 10, 11, 12 or 13, the prescribed officer may in any case arising under any of those sections—

- (i) issue a duplicate or renewed security or convert, consolidate or sub-divide a security or securities upon the applicant giving the prescribed indemnity against the claims of all persons claiming under the original security or under the security or securities so renewed, converted, consolidated or sub-divided, as the case may be, or
- (ii) refuse to issue a duplicate or renewed security or to convert, consolidate or sub-divide a security or securities unless such indemnity is given.

Inspection of registers, books and documents.

19. No person shall be entitled to inspect, or to receive information derived from, any book, register or other document kept or maintained by or on behalf of Government in relation to Government securities or any Government security, save in such circumstances and manner and subject to such conditions as may be prescribed.

Penalty.
20. If any person, for the purpose of obtaining for himself or for any other person payment of interest or of the capital sum due in respect of any Government security, or the issue of a duplicate security, or the renewal, conversion, consolidation or sub-division of a Government security or securities, makes to any authority under this Act a statement which is false and which he either

knows to be false or does not believe to be true, he shall be punishable with imprisonment for a term which may extend to six months, or with fine, or with both.

Rules.

21. (1) The Governor General in Council may, after previous publication, make rules to carry out the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

- (a) the manner in which payment of interest in respect of Government securities is to be recorded and acknowledged;
- (b) the circumstances in which Government securities must be renewed before further payment of interest thereon can be claimed;
- (c) the form in which and the conditions subject to which Government securities may be issued to the rulers of States in India;
- (d) the fees to be paid in respect of the issue of duplicate securities and of the renewal, conversion, consolidation and sub-division of Government securities;
- (e) the proof which is to be produced by persons applying for duplicate securities;
- (f) the form and manner of publication of the notification mentioned in section 10 and the period after which interest may be paid or a duplicate security may be issued under that section, and the manner of publication of the list mentioned in sub-section (3) of that section;
- (g) the officer who is to exercise all or any of the powers and to perform all or any of the duties referred to in sections 10, 11, 12, 13, 16, and 18;
- (h) the form in which securities delivered for discharge, renewal, conversion, consolidation or sub-division are to be receipted;
- (i) the person to whom and the manner in which payments are to be made in respect of Government securities standing in the name of, or held by, minors or persons who are insane and incapable of managing their affairs;
- (j) the taking of indemnities against adverse claims of third parties from persons who receive payment of interest or of the capital sum due in respect of Government securities, or who obtain duplicate, renewed, converted, consolidated or sub-divided securities;
- (k) the manner in which any document relating to Government securities or indorsement on a Government promissory note may, on the demand of any person who from any cause is unable to write, be executed on his behalf;

- (d) the recognition of trusts in the case of Government stock and of powers of attorney granted to persons holding stock as trustees whether of any particular trust or without qualification;
- (m) the holding of Government stock by the holders of offices other than public offices, and the manner in which and the conditions subject to which stock so held may be transferred;
- (n) the mode of attestation of documents relating to Government stock;
- (o) generally, all matters connected with the grant of duplicate, renewed, converted, consolidated and sub-divided securities; and
- (p) the circumstances and the manner in which, and the conditions subject to which, inspection of books, registers and other documents may be allowed or information therefrom may be given under section 19.

(3) Nothing in any rules made under clauses (l) and (n) shall, as between any trustees or as

between any trustees and the beneficiaries under a trust, be deemed to authorise the trustees to act otherwise than in accordance with the rules of law applying to the trust and the terms of the instrument constituting the trust; and neither the Government nor any person holding or acquiring any interest in any Government stock shall, by reason only of any entry in any register maintained by or on behalf of the Government in relation to any Government stock or any stockholder, or of anything in any document relating to Government stock, be affected with notice of any trust or of the fiduciary character of any stockholder or of any fiduciary obligation attaching to the holding of any Government stock.

(4) Rules made under this section shall be published in the Gazette of India, and shall thereupon have effect as if enacted in this Act.

Repeals.

22. On and from the date on which this Act comes into force, the Indian Securities Act, 1886, and so much of the First and Second Schedules of the Repealing and Amending Act, 1914, as relates to the Indian Securities Act, 1886, shall be repealed.

XIII of 1886.
X of 1914.
XII of 1886.

STATEMENT OF OBJECTS AND REASONS.

THE existence of various defects and doubtful points in the present law regarding Government securities (Act XIII of 1886) has for some time pointed to the necessity of overhauling and re-casting that Act, in order that the law governing such securities, and the procedure and regulations based thereon, may be better adapted to the requirements of modern conditions. The principal changes introduced by this Bill are summarised below:—

- (a) To legalise certain matters in the existing practice and procedure which it is desirable to maintain, but of which the legal basis is at present doubtful;
- (b) To obviate difficulties and delays which are at present liable to occur, in cases of disputed or doubtful claims on promissory notes, in discovering who is the Government's legal creditor in respect of such notes;
- (c) To relax the present procedure in certain matters, such as receiving notice of a trust and securities held by office holders; and
- (d) To provide special facilities in cases of small holdings of which the holder has died or is a minor.

2. The clauses of the Bill which introduce these changes are as follows:—

Clause 3. This corresponds to section 4 of the existing Act, the rigidity of which has caused much trouble in practice. The proviso to this clause legalises the existing practice regarding executors and administrators, while sub-clauses (l) and (m) of clause 21 (2) of the Bill will, in the case of Government debt held in the form of stock, enable various facilities to be given to the public, in the matter of securities held in trust or in the name of office holders (other than the holders of a public office), which are not possible under the existing law.

Clauses 4, 5 and 6 reproduce sections 5, 6 and 7 of the present Act.

Clause 7 is new and designed to legalise the present practice of issuing special notes to the Rulers of Indian States.

Clauses 8, 9 and 10 reproduce sections 9, 10 and 12 of the existing Act.

Clause 11 corresponds to section 11 of the present Act, but contains a proviso legalising the practice which is at present followed regarding securities belonging to a joint Hindu family, while sub-clause (2) provides for the renewal of bearer bonds.

Clause 12 introduces a definite procedure in cases in which adverse claims arise, and provides a means for their more expeditious disposal than is possible under the existing law.

Clause 13 provides for the conversion, consolidation or sub-division of Government securities, for which at present no specific provision exists.

Clause 14 provides for Government's liability being discharged in the case of bearer bonds and, in certain cases, of other securities, on payment, renewal, conversion, consolidation or sub-division, while the proviso safeguards the interests of third parties who may in certain cases be adversely affected as the result of proceedings under clause 12.

Clause 15 corresponds to section 13 of the existing Act, but includes provision for converted, consolidated or sub-divided securities.

Clause 16 introduces a procedure on the lines of sections 4 to 7 of the Government Savings Banks Act, 1873 (V of 1873), which will enable claims in respect of small holdings standing in the names of deceased persons to be expeditiously met.

Under *clause 17* Government takes power to prescribe the procedure to be followed in the case of securities held by minors or lunatics, and thereby to dispense with the formalities which under the existing law must attend transactions connected with securities so held.

Clause 18 provides for the taking of indemnities, and will cover cases in which there is reason to doubt a claimant's title though no adverse claimant has actually appeared.

Clause 19 places on a legal basis the confidential character of the books, registers, etc., maintained in the Public Debt Offices. The practice in England is to allow no inspection by the public, though a search is made at the request of *bona fide* applicants and the results reported to them. This is generally the practice followed in India, although at present it does not rest on any specific legal provision.

Clause 20 introduces a specific provision to penalise false statements made in proceedings in respect of securities for the purpose of obtaining payment or renewal and the like.

Of the rule-making powers enumerated in *clause 21* (2) (a) (b), (d), (e), (f), (g), (h), the second half of (j) and (o) correspond to and generally reproduce the rule-making powers conferred by section 14 of the existing Act. Of the remainder (c), (i) and (p) are consequential to clauses 7, 17 and 19, respectively, of the Bill, the first half of (j) being consequential to clause 18. (l) and (m) have been mentioned above under clause 3. (k) and (n) are new, and are designed to facilitate the procedure regarding the matters mentioned therein.

Sub-clause (3) of clause 21 has been adapted from the English law, and lays down the limits within which the recognition of trusts can operate, at the same time safeguarding the interests of beneficiaries.

SIMLA ;

H. F. HOWARD.

The 25th October, 1919.

H. M. SMITH,

Offg. Secretary to the Government of India.

2
21